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IN THE COURT OF THE PRL.CIVIL JUDGE AND JMFC.,
AT PERIYAPATNA.

-: P R E S E N T :-

Sri.YOGESHA M.R., B.A.LLB.,
PRL.CIVIL JUDGE AND JMFC.,
PERIYAPATNA.

*Dated this the **07th day of MARCH, 2026.***

Crl.Misc.No.32/2026

PETITIONER : Krishnappa, 60 yrs,
S/o late Doddalakshmaovi,
R/at Sathyagala Kavalu Village,
Kasaba Hobli,
Periyapatna Taluk,
Mysuru District.
(By Sri.KAM., Adv)

V/S

RESPONDENT : The Tahasildhar,
Periyapatna Taluk,
Periyapatna.
(Absent)

ORDER

This is the petition filed by the petitioner praying to issue direction to the respondent to enter the date of death of the mother of petitioner by name Papamma W/o late Doddalakshma Devi, who expired on 28.11.2019 at Sathyagala Kavalu Village, Kasaba Hobli, Periyapatna Taluk., in the concerned register and to direct him to issue death certificate of mother of the petitioner, after collecting the fee.

2. Background facts in a nut-shell are as under;

It is the case of the petitioner that, the mother of petitioner by name Papamma W/o late Doddalakshma Devi, who expired on 28.11.2019 at Sathyagala Kavalu Village, Kasaba Hobli, Periyapatna Taluk. But, petitioner could not register the same with the registrar of births and deaths in time. Now, the petitioner is in need of death certificate of Papamma W/o late Doddalakshma Devi, for the purpose of change of Katha and other purpose. Further, he contended

that, he has filed the application before the respondent office for issuance of death certificate of Papamma W/o late Doddalakshma Devi, but the respondent has issued the endorsement regarding that, there is no such entry of date of death of mother of petitioner by name Papamma W/o late Doddalakshma Devi, who expired on 28.11.2019 at Sathyagala Kavalu Village, Kasaba Hobli, Periyapatna Taluk, in the concerned register. Alleging the above facts the petitioner has filed this petition against the respondent.

3. The notice of petition was served to the respondent. But, the respondent remained absent. Further, the petitioner has taken paper publication with regard to filing of the present petition.

4. The petitioner in order to establish his case, examined as PW.1 and adduced as many as 5 documents as per Ex.P1 to P5. Ex.P1 is the Non-Availability Certificate.

Ex.P2 is the News Paper. Ex.P3 is the Genealogical Tree. Ex.P4 is the Notarized copy of Aadhar Card of petitioner. Ex.P5 is the Notarized copy of Aadhar Card of Papamma.The PW.1 has filed examination-in-chief affidavit-in-lieu of his oral evidence.

5. Heard the arguments.

6. Upon hearing arguments and on perusal of materials placed on records, following points arises for consideration;

:- P O I N T S :-

1. Whether the petitioner has made out sufficient grounds for allowing the petition ?

2. What order ?

7. This court answers the above points as hereunder;

POINT NO.1 : **AFFIRMATIVE**

POINT NO.2 : As per final order,
for the following;

:- R E A S O N S :-

POINT No.1:-

8. The PW.1 in his evidence has reiterated the averments made in the petition.

9. This court has gone through the evidence of PW.1, wherein he has clearly deposed that, his mother by name Papamma W/o late Doddalakshma Devi, who expired on 28.11.2019 at Sathyagala Kavalu Village, Kasaba Hobli, Periyapatna Taluk. Further, the endorsement issued by the respondent reveals that, the date of death of mother of petitioner by name Papamma W/o late Doddalakshma Devi, is not entered in the concerned register. Since the respondent has not appeared before the Court, the petition averments made in the affidavit has remained unchallenged. Therefore, Court has no option except to accept the same and come to the conclusion that, the date of death of the mother of petitioner, who expired on 28.11.2019 at Sathyagala Kavalu Village,

Kasaba Hobli, Periyapatna Taluk. There is no evidence to show that, non-intimation of the same to concerned authority is intentional one.

10. Under such circumstances, this Court is of the opinion that, if the respondent is directed to register the date of death of mother of petitioner, who expired on 28.11.2019 at Sathyagala Kavalu Village, Kasaba Hobli, Periyapatna Taluk, in the concerned register, certainly it would meet the ends of justice. On the other hand, no hardship or loss will cause to the respondent. *Hence, this Court answered point No.1 in the Affirmative.*

POINT NO.2:-

11. For the foregoing reasons, this Court proceed to pass the following;

ORDER

The petition filed by the petitioner is hereby allowed.

The respondent is hereby directed to enter the date of death of mother of petitioner by name Papamma W/o late Doddalakshmaabovi(ಪಾಪಮ್ಮ ಕೋಂ ಲೇ.ದೊಡ್ಡಲಕ್ಷ್ಮಬೋವಿ), who expired on 28.11.2019 at Sathyagala Kavalu Village, Kasaba Hobli, Periyapatna Taluk, Mysuru District., in the concerned register of births and deaths and issue death certificate to the petitioner, after obtaining necessary fee in accordance with law.

(Dictated to the Stenographer on computer, revised and corrected by me, and then pronounced in the open Court on this the 07th DAY OF MARCH, 2026.)

(YOGESHA M.R)
PRL.CIVIL JUDGE AND JMFC.,
PERIYAPATNA.

:- ANNEXURES:-

WITNESSES EXAMINED FOR PETITIONER/S:

PW.1 : KRISHNAPPA

DOCUMENTS MARKED FOR PETITIONER/S:

Ex.P1 : Non availability certificate.

Ex.P2 : News paper

Ex.P3 : Genealogical tree

Ex.P4 : Notarized copy of Aadhar Card of petitioner

Ex.P5 : Notarized copy of Aadhar Card of Papamma

WITNESSES EXAMINED FOR RESPONDENT/S: Nil

DOCUMENTS MARKED FOR RESPONDENT/S : Nil

(**YOGESHA M.R**)
PRL.CIVIL JUDGE AND JMFC.,
PERIYAPATNA.