

KAMS610001262026



**IN THE COURT OF THE I ADDITIONAL CIVIL JUDGE
AND JMFC, AT PERIYAPATNA.**

: PRESENT :

Smt. **SHWETHA.J.** *B.COM., LL.B.,*
I Addl. Civil Judge & JMFC., Periyapatna.

Dated this the 2nd day of April, 2026

Crl. Misc.No.45/2026

Petitioner/s : 1. Sri.Kumara.T.S
S/o late Siddaiah,
Aged about 47 years,

2. Smt.Thayamma,
W/o late Siddaiah,
Aged about 77 years,
Both are R/at Thammadahalli Village,
Bettadapura Hobli,
Periyapatna Taluk,
Mysuru District.

(By Sri.BSR., Advocate)

-Vs.-

Respondent : The Tahsildar,
Birth & Death Registrar,
Periyapatna Taluk,
Mysuru District.

(Exparte)

ORDER

The above petition is filed by the petitioners praying to direct the respondent to enter the particulars of death of late Kullasiddaiah S/o late Marisiddaiah as shown in the petition.

2. The brief facts of the case of the petitioners is that late Kullasiddaiah S/o late Marisiddaiah was died on 04.10.1960 at Thammadahalli Village, Bettadapura Hobli, Periyapatna Taluk, Mysuru District. On applying for the Death Certificate extract with the respondent, the respondent has issued an endorsement stating non-availability of the same. Hence this petition.

3. In spite of service of notice, the respondent has not appeared before the Court. The petitioners have also issued the paper publication in 'Mandyadaruvu'. In spite of that nobody appeared to resist the petitioners case.

4. In support of the petitioners case, the petitioner No.1 has entered the witness box as PW1 and got marked Ex.P1/Nonavailability Certificate. Ex.P2/News Paper. Ex.P3/ Genealogical Tree, Ex.P4 and 5/Notarised copies of Aadhaar Cards and Ex.P6/ Certified copy of Death Certificate.

5. Heard the arguments of petitioners Counsel. Perused the materials placed on record.

6. On the basis of above, the following point does arise for my consideration;

“Whether the petition filed Under Section 13(3) of the Registration of Births and Deaths Act, should be allowed?”

7. My finding to the above point is in the **“Affirmative”** for the following;

REASONS

8. **Point No.1:** The PW.1 has deposed in accordance with the petition averments. The unchallenged testimony of PW1 is corroborated by Ex.P1/Nonavailability certificate, establishes that the particulars of the death shown below are not available with the respondent. In that event, the petition has to be allowed and the petitioners are liable to pay the late fee. Accordingly, above point is answered in the **Affirmative**. In the result the following;

ORDER

The petition filed Under Section 13(3) of the Registration of Births and Deaths Act is allowed.

The respondent is directed to enter the below shown particulars in the register concerned, after obtaining fee, if any.

Particulars

Name : late Kullasiddaiah
Father : late Marisiddaiah
Date of Death : 04.10.1960
Date of Place of Death: Thammadahalli Village
Bettadapura Hobli,
Periyapatna Taluk,
Mysuru District.
Sex : Male
Nationality : Indian

Issue intimation directing the respondent to enter the above particulars in the register concerned, after receiving required fee, if any.

(Dictated to the Stenographer on computer, thereof corrected, signed and pronounced by me in the open Court on this the 2nd day of April 2026)

(SHWETHA.J.)

I Addl. Civil Judge & JMFC,
Periyapatna.

ANNEXURE**Witnesses examined for petitioners:**

PW1 : Sri.Kumara.T.S

Documents exhibited for petitioners:

Ex.P1 : Non-Availability
Ex.P2 : News paper
Ex.P2(a) : Marked portion
Ex.P3 : Genealogical Tree
Ex.P4 & 5 : Notarised copies of Aadhaar cards
Ex.P6 : Certified copy of Death Certificate

Witnesses examined for respondent: - Nil -

Documents exhibited for respondent: - Nil -

(SHWETHA.J.)

I Addl. Civil Judge & JMFC,
Periyapatna.