

KAMS610031972025



**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 17th day of March, 2026

Crl. Misc.No.761/2025

Petitioner : Sri.Manjunatha,
S/o late Devanayaka,
Aged about 53 years,
R/at Kelaganahalli Village,
Ravanduru Hobli,
Periyapatna Taluk,
Mysuru District.
(By Sri.SNG., 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 Mugamma W/o late Kempanayaka as shown in the petition.

2. The brief facts of the case of the petitioners is that late Mugamma W/o late Kempanayaka was died on 24.04.1944 at Kelaganahalli Village, Ravanduru Hobli, Periyapatna Tauk, 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. Inspite on service of notice, the respondent has not appeared before the Court. The petitioners have also issued the paper publication in 'Mandyadaruvvari'. Inspite that nobody appeared to resist the petitioners case.

4. In support of the petitioners case, the petitioner has entered the witness box as PW1 and got marked Ex.P1/Nonavailability Certificate. Ex.P2/News Paper. Ex.P3/ Genealogical Tree, Ex.P4 /Notarised copy of Aadhaar Card.

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 Mugamma
Husband	:	late Kempanayaka
Date of Death	:	24.04.1944
Date of Place of Death:		Kelaganahalli Village Ravanduru Hobli,

Periyapatna Taluk,
Mysuru District.

Sex : Female
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 17th day of March 2026)

(**SHWETHA.J.**)

I Addl. Civil Judge & JMFC,
Periyapatna.

ANNEXURE

Witnesses examined for petitioner:

PW1 : Sri.Manjunatha

Documents exhibited for petitioner:

Ex.P1 : Non-Availability
Ex.P2 : News paper
Ex.P2(a) : Marked portion
Ex.P3 : Genealogical Tree
Ex.P4 : Notarised copy of Aadhaar card

Witnesses examined for respondent: - Nil -

Documents exhibited for respondent: - Nil -

(**SHWETHA.J.**)

I Addl. Civil Judge & JMFC,
Periyapatna.