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**IN THE COURT OF SENIOR CIVIL JUDGE AND JMFC
AT T. NARASIPURA.**

PRESENT

SRI. HANUMANTHA G.H.

B.A.L., LL.M.

Senior Civil Judge and JMFC, T. Narasipura.

CRL. MISC. NO.481/2025.

DATED THIS 07th DAY OF MARCH, 2026.

PETITIONER : Smt. Mallajamma
D/o Late Mallaiah,
W/o Madaiah,
Age: 69 years,
R/at: Ramegowdanapura village,
Sosale Hobali,
T. Narasipura taluk,
Mysuru District.

(By Sri. Jayaprakash C.R. Advocate)

Vs.

RESPONDENT : Tahasildar,
T. Narasipura.

(Exparte)

ORDER

The petitioner has filed the petition under Section 13(3) of Registration of Births and Deaths Act, 1969 seeking issuance of direction to the respondent to issue the death certificate of the father of the petitioner namely Mallaiah S/o Late Hulikaddi Mallaiah.

2. In the petition, the petitioner has stated that the said Mallaiah S/o Late Hulikaddi Mallaiah died on 16.04.1992 at Ramegowdanapura village, Sosale Hobali, T. Narasipura taluk. She was under an impression that the death details of the said Venkatesh S/o Late Marappa were informed to the respondent. But, she came to know that the said details were not informed to him when the latter issued the non-availability certificate. Accordingly, she has prayed to allow the petition.

3. The respondent has not appeared before the court though the notice is served upon him. Hence, he is placed *exparte*.

4. The petitioner examined herself as P.W.1 and has got a witness examined as P.W.2 and got 6 documents marked Exs.P.1 to 6 to prove her case. The cross examination of P.Ws.1 and 2 is taken as nil.

5. I have heard the arguments of learned counsel for the petitioner and perused the materials on record.

6. The points for consideration are as under:-

1. Whether the petitioner has made out sufficient grounds to allow the petition?

2. What Order?

7. The answers to points above are:-

Point No.1 : In the Affirmative.

Point No.2 : As per final order.

REASONS

8. POINT NO.1:- P.W.1 has deposed as averred in the petition. The evidence of P.W.2 has supported the case of the petitioner. Ex.P.1 is the non availability certificate issued by respondent on 17.07.2025. It shows that the death particulars of the said Mallaiah S/o Late Hulikaddi Mallaiah are not entered in death register. Ex.P.2 is the notarized genealogical tree of the family of the petitioner. It shows the relationship of him with the said Mallaiah S/o Late Hulikaddi Mallaiah as stated in the petition. Exs.P.5 and 6 are the true copies of Aadhaar cards of P.Ws.1 and 2. They show the addresses of them.

9. The petitioner has informed about the death particulars of the said Mallaiah S/o Late Hulikaddi Mallaiah through Exs.P.3 and 4/paper publications in 'Hello Mysuru' and 'Kemmugilu' news papers dated on 30.12.2025. In response to paper publications, no one has appeared before the court to contest the case of the petitioner.

10. Under Section 13 of the Registration of Births and Deaths Act 1969, the Magistrate of the First Class has power to make an order to the concerned authority established under the statute to make necessary entries pertaining to the death or birth of any person whose birth or death has not been registered within one year of its occurrence.

11. The materials on record clearly show that the said Mallaiah S/o Late Hulikaddi Mallaiah is found to have died as averred and deposed by the petitioner and P.W.1 respectively. As mentioned above, the evidence of P.W.2 supports the case of the petitioner. Therefore, the petition needs to be allowed. Hence, **point No.1** is answered in the **affirmative**.

12. POINT NO.2:- In the light of the above discussion, I proceed to pass the following:-

ORDER

The petition filed by the petitioner under Section 13 (3) of Registration of Births and Deaths Act 1969 is hereby allowed.

The respondent is hereby directed to register the death particulars of one Mallaiah S/o Late Hulikaddi Mallaiah who died on 16.04.1992 at Ramegowdanapura village, Sosale Hobali, T. Narasipura taluk in the concerned death register by collecting fee, if any, as per rules.

There is no order as to
costs.

(Dictated to the Stenographer directly on the computer, typed by him, corrected
and then pronounced by me in the Open Court on this 07th day of March, 2026)

(HANUMANTHA G.H.),
Senior Civil Judge and JMFC,
T. Narasipura.

A N N E X U R E

1. WITNESSES EXAMINED FOR THE PETITIONER:-

P.W.1 : Smt. Mallajamma.
P.W.2 : Sri. Mallesh.

2. DOCUMENTS MARKED FOR THE PETITIONER:-

Ex.P.1 : Non-availability Certificate.
Ex.P.2 : Notarized copy of Genealogical tree.
Exs.P.3 & 4: Paper publications in 'Hello Mysuru'
and 'Kemmugilu' news papers.
Exs.P.5 & 6: True copies of Aadhaar cards of
P.Ws.1 and 2.

3. WITNESS EXAMINED FOR THE RESPONDENT:-

- N I L -

4. DOCUMENT MARKED FOR THE RESPONDENT:-

- N I L -

(HANUMANTHA G.H.),
Senior Civil Judge and JMFC,
T. Narasipura.

(Separate order is passed and pronounced in the open court)

ORDER

The petition filed by the petitioner under Section 13 (3) of Registration of Births and Deaths Act 1969 is hereby allowed.

The respondent is hereby directed to register the death particulars of one Mallaiah S/o Late Hulikaddi Mallaiah who died on 16.04.1992 at Ramegowdanapura village, Sosale Hobali, T. Narasipura taluk in the concerned death register by collecting fee, if any, as per rules.

There is no order as to costs.

Senior Civil Judge and JMFC,
T. Narasipura.