

ORDER

This is a petition filed by the petitioner against the respondent U/s. 13(3) of Registration of Births and Deaths Act of 1969.

2. The brief facts of the petitioners are that the grandmother of petitioner No.3 and mother of petitioner No.1 and 2 namely Smt.NARASAMMA, W/o.Late.Chikkahanumaiah @ Chikkahanumanthaiah died on 11/09/1989 at house No.17, Kengunte, Janatha Colony, Malathahalli, Bengaluru-56. It is further submitted that due to lack of knowledge of legal procedure, the event of death of Smt.Narasamma could not comply in time. It is further submitted that now the death certificate of Smt.Narasamma is necessary for bonafide use. It is further submitted that petitioners approached the respondent office, but the respondent office has issued an endorsement. With this submission, petitioners have prayed for allowing the application.

3. On the other hand, inspite of service of notice, the respondent has not appeared before the court. Hence, the respondent placed ex-parte.

4. When the case posted for ex-parte evidence, the petitioner No.1 is examined as P.W.1 and got marked the documents as Ex.P.1 to P.6.

5. I have heard the arguments on behalf of the petitioner.

6. The points arose for my consideration are:

1. Whether the petition filed by the petitioners are
deserves to be allowed?
2. What order?

7. My findings on the above points are as under:

Point No.1 : In the affirmative.

Point No.2 : As per final order, for the following:

REASONS

8. **Point NO.1:** In order to substantiate the petition averments, the petitioner No.3 examined as P.W.1. In his evidence, he has deposed that his grandmother namely Smt.NARASAMMA, W/o.Late.Chikkahanumaiah @ Chikkahanumanthaiah died on 11/09/1989 at house No.17, Kengunte, Janatha Colony, Malathahalli, Bengaluru-56. It is further submitted that due to lack of

knowledge of legal procedure, the event of death of his grandmother could not comply in time. It is further submitted that now the death certificate of his grandmother is necessary for bonafide use. It is further submitted that he has approached the respondent office, but the respondent office has issued an endorsement.

9. In support of his contention, P.W.1 has produced the Non availability certificate issued by the respondent, copy of letter send to respondent, Affidavit for Family Tree, notarized copy of Aadhar Card and two paper publications, which are marked as Ex.P.1 to P.6. In my considered view, petitioner has made out grounds for allowance of the application. Admittedly the evidence of P.W.1 and contentions of Ex.P.1 to P.6 have remained unchallenged. Hence, I answer Point No.1 in the affirmative.

10. **Point No.2** : In the result, I proceed to pass the following:

ORDER

Petition filed by the petitioner is hereby allowed. The Respondent is hereby directed to enter the date of death of petitioner's grandmother namely **Smt.NARASAMMA,**

W/o.Late.Chikkahanumaiah @
Chikkahanumanthaiah died on 11/09/1989
at house No.17, Kengunte, Janatha Colony,
Malathahalli, Bengaluru-56 in the concerned
records after collecting necessary legal fees.

(Dictated to the Typist, typed by her through computer,
corrected and then pronounced by me in the open court, dated
this the 29th day of October, 2021.)

(PADMAKAR VANAKUDRE),
C/c, XXXII ADDL.C.M.M. BENGALURU.