



**IN THE COURT OF PRL. CIVIL JUDGE & JMFC,
MUDIGERE**

PRESENT: Sri. YOGESHA.M.R B.A.,LL.B.,
Prl. Civil Judge & JMFC.,
Mudigere.

DATED THIS THE 25th DAY OF JULY 2026

Crl.Misc.No.229/2026

BETWEEN :

Sri.Thammu,
Aged about 59 years,
S/o late Challa,
R/o Aramane Thalaguru Village,
Sunkasale Post, Balur Hobli,
Mudigere Taluk.

....Petitioner

(By Sri.H.K.Raghu, Adv.,)

AND :

- 1.** The Tahsildar,
Mudigere Taluk.
- 2.** Smt.Kamala,
Aged about 60 years,
W/o late Andru,
R/o Jakkinakki Village,
Bannur Post,
Balehonnur Hobli,
N.R Pura Taluk.
- 3.** Sri.Ramesha,
Aged about 42 years,
S/o late Andru,
R/o Jakkinakki Village,
Bannur Post,
Balehonnur Hobli,
N.R Pura Taluk.



4. Sri.Ravi,
Aged about 40 years,
S/o late Andru,
R/o Rakshidi Village,
Kyamanahalli Post,
Sakaleshapura Taluk,
Hasan District.
5. Sri.Ashoka.A,
Aged about 38 years,
S/o late Andru,
R/o Jakkinakki Village,
Bannur Post,
Balehonnur Hobli,
N.R Pura Taluk.
6. Smt.Prameela,
Aged about 36 years,
D/o late Andru,
R/o Dinamakki Colony,
Jakkinakki Village,
Bannur Post,
Balehonnur Hobli,
N.R Pura Taluk.
7. Smt.Bommi,
Aged about 68 years,
W/o Kariya,
R/o Marasanige,
Idakani Village,
Mudigere Taluk.
8. Sri.Sundara,
Aged about 60 years,
S/o late Challa,
R/o Aramane Thalaguru Village,
Sunkasale Post, Balur Hobli,
Mudigere Taluk.
9. Smt.Vasanthi,
Aged about 53 years,
W/o late Babu,
R/o Kithlegandi,



Daradahalli Village & Post,
Kasaba Hobli, Mudigere Taluk.

10. Sri.Sundara,
Aged about 50 years,
S/o late Challa,
R/o Brundavan Estate,
Kelagur Village & Post,
Balur Hobli, Mudigere Taluk.

....Respondents

(R-1 – Absent)
(R-2-10-By Sri.H.K.Devaraj, Adv.,)

ORDERS ON MAIN PETITION

This is the petition filed by the petitioners praying to issue direction to the respondent No.1 to enter the date of death of the mother of petitioner by name Bagi W/o Challa, who expired on 18.11.2000 at Aramane Thalaguru Village, Sunkasale Post, Balur Hobli, Mudigere Taluk., in the concerned register and to direct him to issue death certificate of mother of petitioner, after collecting the fee.

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

It is the case of the petitioners that, the mother of petitioner by name Bagi W/o Challa who expired on 18.11.2000 at Aramane Thalaguru Village, Sunkasale Post, Balur Hobli, Mudigere Taluk. But, petitioners could not registered the same with the registrar of births and deaths in time. Now, the petitioners are in need of death certificate of Bagi W/o Challa for bonafide purpose. Further, they contended that, they have filed the application before the respondent's office for issuance of death certificate of Bagi W/o Challa, but the respondent No.1 has issued the endorsement regarding that, there is no such entry of date of death of mother of



petitioner by name Bagi W/o Challa who expired on 18.11.2000 at Aramane Thalaguru Village, Sunkasale Post, Balur Hobli, Mudigere Taluk, in the concerned register. Alleging the above facts the petitioners have filed this petition against the respondent.

3. The notice of petition was served to the respondents, but, the respondent No.1 remained absent and respondent No.2 to 10 appeared through their counsel and submitted no objections to the petition. Further, the petitioners have taken paper publication with regard to filing of the present petition.

4. The petitioners in order to establish their case, petitioner examined himself as PW.1 and got marked 5 documents as per Ex.P1 to Ex.P5. Ex.P1 is the Non-Availability certificate, Ex.P2 is the Genealogical Tree, Ex.P3 and 4 are the News Papers and Ex.P5 is the notarized copy of Aadhaar card of petitioner. PW1 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, the 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 : In the **Affirmative.**

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



-: R E A S O N S :-

8. Point No.1:- The PW.1 in his evidence has reiterated the averments made in the petition.

9. This court has gone through the evidence of PW1, wherein he has clearly deposed that, the mother of petitioner by name Bagi W/o Challa who expired on 18.11.2000 at Aramane Thalaguru Village, Sunkasale Post, Balur Hobli, Mudigere Taluk. Further, the endorsement issued by the respondent No.1 reveals that, the date of death of mother of petitioner by name Bagi W/o Challa is not entered in the concerned register. Since the respondent No.1 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 18.11.2000 at Aramane Thalaguru Village, Sunkasale Post, Balur Hobli, Mudigere 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 No.1 is directed to register the date of death of mother of petitioner, who expired on 18.11.2000 at Aramane Thalaguru Village, Sunkasale Post, Balur Hobli, Mudigere 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.***

11. Point No.2:- For the foregoing reasons, this court proceed to pass the following;

**ORDER**

The petition filed by the petitioners is hereby allowed.

The respondent No.1 is hereby directed to enter the date of death of mother of petitioner by name Bagi W/o Challa, who expired on 18.11.2000 at Aramane Thalaguru Village, Sunkasale Post, Balur Hobli, Mudigere Taluk., in the concerned register of births and deaths and issue death certificate to the petitioners, after obtaining necessary fee in accordance with law.

(Dictated to the Stenographer, directly typed by him on computer, corrected and then pronounced by me in the open court on **25th day of JULY 2026, at Mudigere**).

(Yogesha.M.R)
Prl. Civil Judge & JMFC.,
Mudigere.

: A N N E X U R E :**LIST OF WITNESS EXAMINED ON BEHALF OF PETITIONERS:-**

PW1 : Thammu,

LIST OF DOCUMENTS EXHIBITED ON BEHALF OF PETITIONERS:-

Ex.P1 : Non availability certificate
Ex.P2 : Notarized copy of Genealogy Affidavit
Ex.P3 & 4 : Paper publications published in Malenadu Nakshathra
& Jilla Sudhi Madhyama daily Kannada news papers
Ex.P5 : Notarized copies of Aadhaar card of petitioner



LIST OF WITNESS EXAMINED ON BEHALF OF RESPONDENT:-

NIL

LIST OF DOCUMENTS EXHIBITED ON BEHALF OF RESPONDENT:-

NIL

(Yogesha.M.R)
Prl. Civil Judge & JMFC.,
Mudigere.

VP

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