

KAYG030064392025



**IN THE COURT OF THE CIVIL JUDGE & J.M.F.C. AT
YADGIR.**

PRESENT: SRI.JAGADISH K,
B.A.LL.B.

ADDITIONAL CIVIL JUDGE AND J.M.F.C. YADGIR.

DATED THIS 04th DAY OF JULY, 2026.

CRL.MISC.NO.5142/2025.

PETITIONERS:

1. Manikyamma W/o Kalappa aged 57 years,
 2. Bannamma W/o Bassappa aged 42 years,
 3. Seema W/o Santosh Jha aged 33 years,
 4. Padma W/o Jalaram Patel aged 37 years,
 5. Parvathi D/o Kalappa aged 31 years,
 6. Savitramma W/o K.Buggappa aged 38 years,
 7. Kartik S/o K.Buggappa aged 14 years,
 8. Akshay D/o K.Buggappa aged 14 years,
- All are R/o.Gunjanoor Tq: Gurmitkal, Dist: Yadgiri

(By Sri.SBH Advocate)

vs.

RESPONDENT:

1. The Tahashildar Gurmitkal.
2. All concerned.

(Ex parte)

O R D E R S



1. The petitioners have filed this present petition under Section 13 (3) of Registration of Births and Deaths act, to issue direction to the respondent to enter the date of death of Late Buggappa S/o Kalappa as on 17.05.2021 at Gunjanoor Village Tq: Gurmitkal Dist: Yadagiri in the birth and deaths Register. The petitioner have stated in their petition that he is the permanent resident of Gunjanoor Village Tq: Gurmitkal Dist:Yadagiri, Petitioner son by name Late Buggappa S/o Kalappa as on 17.05.221 at Gunjanoor Village Tq: Gurmitkal Dist:Yadagiri, The date of death of said Late Buggappa S/o Kalappa was not informed to the respondent office due to bona fide mistake. Hence, the date of death of said Late Buggappa S/o Kalappa was not entered in the concerned registers. When the petitioner approached the respondent seeking the death certificate of his son, respondent issued endorsement on 19.04.2024 stating that the date of death Late Buggappa S/o Kalappa is not forthcoming in the concerned register. The death certificate of his son is required for the purpose of mutation of land property. Hence, the petitioner pray for allowing the petition.
2. After registering the case, the petitioner have taken paper publication in the daily newspapers i.e. Yadgiri Express and Kumar Express. But nobody has put their appearance before the court. The respondent also not put his



appearance before the court. Hence, the respondents placed ex parte.

3. The petitioner No.1 got himself examined as PW.1 and got marked 5 documents at Ex. P1 to 5.
4. Heard the arguments of counsel for petitioner and perused the records.
5. The points that arise for my consideration are as under:
 1. Whether the petition filed by the petitioners under Section 13 (3) of Births and Deaths Registration Act is deserves to be allowed?
 2. What order?

6. My answer to the above points are as under:

Point No.1 ... In the affirmative

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

REASONS

7. **POINT NO.1:** In order to prove their contentions, the petitioner No.1 is examined as PW.1 and in his evidence, he has reiterated the averments made in the petition. Hence, its repetition is not necessary. In addition to his evidence, **he has produced non-availability certificate issued by the respondent, which is marked at Ex.P1, Ex.P2 is the Genealogical tree, Ex.P3 is the RTC, Ex.P 4 and 5 are paper citation.** The petitioners are residing within the



jurisdiction of this court. Hence, the evidence of PW.1 remained unchallenged. Hence, in my opinion, the petitioners are entitled for the relief as sought for. Accordingly, I answer point No.1 in the affirmative.

8. **POINT NO.2:** For the aforesaid reasons, I proceed to pass the following

ORDER

The petition filed by the petitioners is hereby allowed.

The respondent is directed to enter the date of death of Late Buggappa S/o Kalappa as on 17.05.2021 at Gunjanoor Village Tq: Gurmitkal, Dist:Yadagiri, after collecting necessary fees.

I further it is hereby made clear that this order is only helpful to get death extract of deceased and not for any other purpose.

(Dictated to the Typist, transcribed by him, corrected by measuring and then pronounced in the open court on this 04th day of July 2026)

(Jagadish. K)
ACJ & JMFC Yadgiri.

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LIST OF WITNESSES EXAMINED FOR PETITIONERS:

PW.1 Manikyamma W/o Kalappa.

LIST OF DOCUMENTS MARKED FOR PETITIONERS:

Ex P1: Non availability certificate.

Ex P2: Genealogical tree.

Ex P3: RTC,

Ex P4 and 5: Paper citation.

**(Jagadish K)
ACJ & JMFC Yadgiri.**

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