

IN THE COURT OF THE PRL. CIVIL JUDGE & JMFC.,
SHAHAPUR.

Present: **Smt.Hema Pastapur**,B.A., LL.B.

C/c Prl. Civil Judge, and JMFC,
Shahapur.

Crl. Misc. No.3473/2025

Dated this 6th day of April-2026.

Petitioners:

1. Dodda Bhimappa S/o Marthandappa
Age 64 years, Occ. Agri,
R/o Halipeth Village,
Tq. Shahapur, Dist. Yadgir.
2. Mallamma D/o Marthandappa
W/o Hanamanta Salamani,
Age 61 years, Occ. HH,
R/o Sagar Village,
Tq. Shahapur, Dist. Yadgir.
3. Mallamma D/o Marthandappa
W/o Hulagappa, Age 59 years,
Occ. HH, R/o Jambava Nagar Halipeth
Shahapur, Tq. Shahapur, Dist. Yadgir.
4. Maremma D/o Marthandappa
W/o Nagappa, Age 54 years,
Occ. HH, R/o Benkanhalli(J),
Tq. Shahapur, Dist. Yadgir.

(By Sri.HMH Advocate)

V/s

- Respondents:**
1. The Birth and Death Registrar, i.e.,
The CMC, Office Shahapur.
 2. All Concerned.

(Absent)

* * * *

ORDERS

That the petitioners have filed this petition under Section 13(3) of the Registration of Births and Deaths Act, 1969.

Facts of the case are as under:-

That, the petitioners have contended that, one deceased Marthandappa S/o Bheemappa was the Father of petitioners was died on 01.06.1996 in their house at Jambava Nagar Halipeth Shahapur Village, Tq. Shahapur, Dist. Yadgir and due to lack of knowledge and procedural aspect they have not informed the respondent for entering the date of the death of said deceased in concerned register. That, the petitioners have further contended that, they are in need of death certificate of the said deceased for obtaining the Government facilities, mutating in their names in respect of properties left by said deceased. That,

the petitioners have further contended that, they asked the respondent for entering the date of death of said deceased in concerned register but, he furnished the Endorsement. Hence, this petition.

2. That, on notice being served, the respondent has remained absent. That, the petitioners have got issued the notice to the Public in general in Kannada Daily News papers, Yadgir Express and Kumar Express, but nobody has appeared before this Court.

3. That, I have heard the arguments and perused the materials placed on record.

4. That, the following points arise for My consideration and determination:-

1. Whether the petitioners have made out the grounds to allow their said petition as prayed for?
2. What order?

5. That, the petitioner has deposed as PW1 and got marked the document at Ex.P1 and closed their side.

6. That, My answer to the aforesaid points are as under :-

Point No.1 : In the **AFFIRMATIVE**.

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

REASONS

7. **Point No.1**: That, the petitioners have contended that, one deceased Marthandappa S/o Bheemappa was the Father of petitioners was died on 01.06.1996 in their house at Jambava Nagar Halipeth Shahapur Village, Tq. Shahapur, Dist. Yadgir and due to lack of knowledge and procedural aspect they have not informed the respondent No.1 for entering the date of the death of said deceased in concerned register. That, the petitioners have further contended that, they are in need of death certificate of the said deceased for obtaining the Government facilities, mutating in their names in respect of properties left by said deceased. That, the petitioners have further contended that, they asked the respondent for entering the date of death of said deceased in concerned register but, he furnished the Endorsement.

8. That, the petitioner No.1 in his chief affidavit as reiterated the said facts and got marked the document at Ex.P1. That, the Ex.P1 is the Endorsement issued by the respondent No.1.

9. That, as stated above the respondents have not contested the matter. That, there is no reason to disbelieve the contentions of the petitioners. That, if the respondent No.1 is directed to enter the date of death of the Father of petitioners in concerned death register then no prejudice will be caused to other side. Hence, without much discussion, Point No.1 is answered in the **AFFIRMATIVE.**

10. **Point No.2:** That, as discussed on Point No.1, I proceed to pass the following :-

ORDER

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

That, the respondent No.1 is hereby directed to register the date of death of said

deceased **Marthandappa S/o Bheemappa** in
concerned death register as on **01.06.1996 at**
Jambava Nagar Halipeth Shahapur Village,
Tq. Shahapur, District, after receiving the fee
if any and issue death certificate.

(Directly dictated to the typist-copyist on computer, then corrected
and pronounced by me in the open Court on this the 6th day of April-2026)

(Hema Pastapur)
C/c Prl Civil Judge
& J.M.F.C., Shahapur.

ANNEXURE

List of witnesses examined for petitioners:

PW4 : Maremma D/o Marthandappa

List of documents exhibited for the petitioners:

Ex.P1 : Non-availability certificate.

List of witnesses examined for respondents:

--Nil--

List of documents exhibited for the respondents:

--Nil--

(Hema Pastapur)
C/c Prl Civil Judge
& J.M.F.C., Shahapur.

