

:: ORDER ON MAIN PETITION ::

The petitioners have filed this petition seeking issuance of directions to respondent to enter the date of death of father of petitioners by name **Maktumsab S/o Khadar Sab Badiger** (ಮಕ್ಕುಂಸಾಬ ತಂದೆ ಖಾದರಸಾಬ ಬಡಿಗೇರ) who died on **11-04-2011** at **Agathirth** village, Shorapur Taluk, Yadgiri District.

The petition notice to the respondent were duly served inspite of service of notice, the respondent did not appear. The petitioner No.5 himself examined as P.W.-1 and got marked the Ex.P.1/Non-availability certificate, Ex.P.2 and 3 are the daily Kannada Newspaper. Ex.P4 is the genealogy certificate, Ex.P5 is the certified copy of Aadhar card. The P.W.-1 has reiterated the contents of the petition in his examination in chief. As the respondent did not choose to appear, the evidence of P.W.-1 remained unchallenged. There is nothing available on record to disbelieve the version stated by the

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P.W.-1 on oath. Apart from this, the explanation given by the P.W.-1 for non-informing the date of **death** to the concerned authorities is also satisfactory one. The P.W.-1 is the competent person to say regarding the death of his father. Hence, in my opinion the petitioners have made out grounds to issue directions to the respondent authority as prayed in the petition. Hence, I pass the following:

: O R D E R :

The petition filed by the petitioner is hereby allowed.

The respondent is hereby directed to register the date of death elder brother of petitioners by name **Maktumsab S/o Khadar Sab Badiger** (ಮಕ್ಕುಂಸಾಬ ತಂದೆ ಖಾದರಸಾಬ ಬಡಿಗೇಲ) **who died on 11-04-2011** at **Agathirth** village, Shorapur Taluk, Yadgiri District and to issue death certificate to the petitioners accordingly by collecting necessary fees.

**Sr.Civil Judge and JMFC.,
Shorapur.**