

:: ORDER ON MAIN PETITION ::

The petitioners have filed this petition seeking issuance of directions to respondent to enter the date of death of mother of petitioners by name **Shivalingamma W/o Basavanthraya** (ಶಿವಲಿಂಗಮ್ಮ ಗಂಡ ಬಸವಂತ್ರಾಯ) who died on **30-10-2013** at **Kembhavi** 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.1 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 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 mother. Hence, in my opinion the petitioners have made out grounds to issue directions to the respondent

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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 **Shivalingamma W/o Basavanthraya** (ಶಿವಲಿಂಗಮ್ಮ ಗಂಡ ಬಸವಂತ್ರಾಯ) **who died on 30-10-2013** at **Kembhavi** village, Shorapur Taluk, Yadgiri District and to issue death certificate to the petitioners accordingly by collecting necessary fees.

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