

**IN THE COURT OF THE PRL. CIVIL JUDGE AND JMFC,
AT:SHORAPUR.**

Present: **SRI. MUDUKAPPA ODAN**
B.A., LL.M
Prl. Civil Judge and JMFC,
Shorapur.

Crl. Misc.No.3534/2025

Dated this 04th day of June, 2026

- Petitioner/s :** 1. Hanmantharayagouda S/o Ningangouda,
Age: 54 years, Occ: Agri.
2. Bhimangouda S/o Ningangouda,
Age: 49 years, Occ: Agri.
3. Devindrappa S/o Ninganna @ Ningangouda,
Age: 44 years, Occ: Agri,
All R/o Devargonal, Tq: Shorapur,
Dist: Yadgiri.

(By Sri. S.C.M. Adv.,)

V/S

- Respondent/s:** 1. The Tahasildar shorapur
Tq: Shorapur, Dist. Yadgiri.
2. All concerned.

(Ex-parte)

ORDER

The petitioners have filed this petition under section 13[3]
of Registration of Births and Deaths Act, 1969, seeking

direction to the respondent to enter the date of death of mother of petitioners by name **Hanmawwa W/o Ningangouda** who died on **20.08.2024** at **Devargonal** village, Tq:Shorapur Dist. Yadgiri, in the concerned record.

2. The brief facts of the petition is that;

It is the contention of the petitioners that, the mother of petitioners by name **Hanmawwa W/o Ningangouda** who died on **20.08.2024** at **Devargonal** village, Tq:Shorapur Dist. Yadgiri, the respondents has not registered the date of the death though it has been intimated to the register. The petitioners being in need of the death certificate approached to the office of respondent. Hence, the petitioners filed this petition seeking directions against the respondent for entering date of death of deceased in the concerned register.

3. After receipt of the petition, notice was issued to the respondent, the notice was duly served upon the respondent. The respondent did not appear. Hence, the respondent was placed Ex-parte and case posted for petitioner evidence.

4. In order to prove the above case, the petitioner No.1 examined as PW-1 and produced as many as 07 documents marked at Ex.P1 to 7 and closed his side of evidence.

5. The following points are arisen for my consideration;

POINTS

1. Whether the petitioners prove that, the husband of petitioner by name **Hanmawwa W/o Ningangouda** who died on **20.08.2024** at **Devargonal** village Tq:Shorapur Dist. Yadgiri?

2. What order?

6. My findings to the above points are as here 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 the above case, the petitioner No.1 has examined as PW-1 and he reiterated the contents of the petition in his evidence. To substantiate his oral evidence, he has relied upon the documents, which are got marked as Ex.P1 to 7.

8. Further, the Ex.P1 is the endorsement issued by the Tahasildar Shorapur dated 28.10.2025, wherein it has been stated that, death entry of **Hanmawwa W/o Ningangouda** is not registered in the year 2025. Ex.P2 is the family Genealogical tree, Ex.P3 to 5 are Adhar cards, Ex.P6 and 7 are the paper publications, are not disputed by the respondent and no one approached court and not protested the claim of petitioner.

9. The PW-1 has clearly stated in the petition and evidence that, their mother by name **Hanmawwa W/o Ningangouda** who died on **20.08.2021** at **Devargonal** village, Tq:Shorapur Dist. Yadgiri.

10. On the other hand, the respondent has not appeared and challenged the version of the PW-1. Therefore, there are no grounds to disbelieve the version of the PW-1. Since the respondent did not appear and challenge the version of PW-1, there are no grounds to disbelieve the version of PW-1. The death registration would be more helpful to the Government because, to know the actual population of the state and also for ascertaining the death of the public and for making the beneficial policies to the public. If this petition is not allowed, it would cause hardship to the petitioners because, they would be deprived from getting the benefits. In such a circumstances, if this petition is allowed no harm or loss would be caused to the respondent. Even after publishing notice of this petition in the daily news papers which are marked Ex.P5 and 6, no one approached and not filed protest petition. Hence, I hold that, the petitioners have proved that, mother of petitioners by name **Hanmawwa W/o Ningangouda** who died on **20.08.2021** at **Devargonal** village, Tq:Shorapur Dist. Yadgiri. Therefore, I answer point No.1 in the ***Affirmative***.

11. Point No.2: For the aforesaid reasons, I proceed to pass the following.

ORDER

The petition filed by the petitioner under section 13 [3] of Registration of the Births and Deaths Act 1969, is hereby allowed.

The respondent is hereby directed to enter the date of death of mother of petitioners by name **Hanmawwa W/o Ningangouda** who died on **20.08.2021** at **Devargonal** village, Tq:Shorapur Dist. Yadgiri, in the concerned register after receipt of the prescribed fee and late fee from the petitioner and issue death certificate.

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

No order as to costs.

(Dictated to the Stenographer. on computer, corrected, signed and then pronounced by me in the Open Court on this the 04th day of June, 2026)

(Sri.MUDUKAPPA ODAN)
Prl. Civil Judge & JMFC,
Shorapur

ANNEXURE**Witnesses examined on behalf of petitioner:**

PW-1 : Hanmantharayagouda S/o Ningangouda.

Documents marked on behalf of petitioner:

Ex.P1 : Endorsement.

Ex.P2 : Family genealogy.

Ex.P3 to 5 : Adhar cards.

Ex.P6 & 7 : Paper publications.

Witnesses examined on behalf of respondent:

- Nil -

Documents marked on behalf of respondent:

- Nil -

(Sri.MUDUKAPPA ODAN)

Prl. Civil Judge & JMFC,
Shorapur