

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

Present: KHUTEJATULKUBRA M PATIL
B.B.A., LL.B., LL.M.
Addl. Civil Judge and JMFC,
Shorapur.

Crl. Misc.No.4952/2025

Dated this 21st day of July, 2026

- Petitioner/s :** 1. Revanappa S/o Gigappa Rathod,
Age: 65 years, Occ: Agri,
2. Narayan S/o gigappa Rathod
Age: 55 years, Occ: agri,
3. Govindappa S/o gigappa Rathod,
Age: 54 years, Occ: Agri,
4. Sonabai W/o Shankrappa Rathod,
Age: 56 years, Occ: house hold,
All R/o Marnal Dodda Tanda, Tq: Hunsagi.
5. Tarabai W/o Shantappa,
Age: 35 years Occ: house hold,
R/o Kolihal Naduvin Tanda, Tq: Hunsagi,
Dist: Yadgiri.

(By Sri. G.T,N Adv.,)

V/S

Respondent/s: 1. The Tahasildar Hunsagi
Tq: Hunsagi, Dist. Yadgiri.

2. All concerned.

(Ex-parte)

ORDER ON MAIN PETITION

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 No.1 to 3 & 5 and mother-in-law of petitioner No.4 by name **Giribai W/o Gigappa** who died on **24.02.2022** at Marnal Tanda, Tq: Hunsagi, 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 No.1 to 3 & 5 and mother-in-law of petitioner No.4 by name **Giribai W/o Gigappa** who died on **24.02.2022** at Marnal Tanda, Tq: Hunsagi, Dist. Yadgiri, the respondents has not registered the date of the death though it has been intimated to the respondent No.1. The petitioners being in need of the death certificate approached to the office of respondent. However, the respondent issued endorsement stating that no entry is made. Hence, the petitioners have filed this petition

seeking directions against the respondent for entering date of death of deceased in the concerned register.

3. The notice was issued to the respondent, inspite of service of said notice, respondent has remained absent. Hence placed exparte.

4. In order to prove the above case, the petitioner No.12 examined as PW-1 and got marked 05 documents as Ex.P1 to 5.

5. Heard the counsel for petitioners and perused the materials placed on record. The following points have arisen for my consideration:

POINTS

1. Whether the petitioners have made out sufficient grounds to allow this petition ?

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 substantiate their case petitioner No.1 has examined himself as PW-1 and file affidavit in lieu of his examination in chief and reiterated the contents of

the petition in his evidence and got marked documents as per Ex.P1 to 05.

8. Further, the Ex.P1 is the Non-availability certificate, Ex.P2 & 3 are the Newspapers, Ex.P4 is the Genealogical certificate and Ex.P5 is the Aadhar card which are not disputed by the respondent and no one approached the court and have not protested the claim of petitioner.

9. The PW-1 has clearly stated in the petition and evidence that, the mother of petitioners No.1 to 3 & 5 and mother-in-law of petitioner No.4 by name **Giribai W/o Gigappa** who died on **24.02.2022** at Marnal Tanda, Tq: Hunsagi, Dist. Yadgiri.

10. On the other hand, the respondent has not appeared and challenged 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. Even after publishing notice of this petition in the daily news papers which is marked Ex.P2 & 3, no one approached and not filed protest petition. Considering the attending circumstances and documents available on record, it can be hold that the petitioners have made out sufficient grounds to allow this petition. Hence, I hold that, the petitioners have proved that, the mother of petitioners

No.1 to 3 & 5 and mother-in-law of petitioner No.4 by name **Giribai W/o Gigappa** who died on **24.02.2022** at Marnal Tanda, Tq: Hunsagi, 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 register the date of death of mother of petitioners No.1 to 3 & 5 and mother-in-law of petitioner No.4 by name **Giribai W/o Gigappa** who died on **24.02.2022** at Marnal Tanda, Tq: Hunsagi, 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 21st day of July, 2026)

(KHUTEJATULKUBRA M PATIL)

Addl. Civil Judge & JMFC,
Shorapur

A N N E X U R E

Witnesses examined on behalf of petitioner:

PW-1: Ramawwa W/o Devappa.

Documents marked on behalf of petitioner:

Ex.P1 : Non- availability certificate.
Ex.P2 & 3 : Newspapers
Ex.P4 : Genealogical certificate
Ex.P5 : Aadhar card.

Witnesses examined on behalf of respondent:

- Nil -

Documents marked on behalf of respondent:

- Nil -

(KHUTEJATULKUBRA M PATIL)

Addl. Civil Judge & JMFC,
Shorapur