

KAMS610003702026



**IN THE COURT OF I ADDITIONAL CIVIL JUDGE AND
JUDICIAL MAGISTRATE FIRST CLASS AT PERIYAPATNA.**

PRESENT

Smt.Vidya, A.S.

I Additional Civil Judge & J.M.F.C.,
Periyapatna.

Dated : This the 4th day of August, 2026

Crl.Mis.110/2026

Between:	
Petitioners:	1. Mrs. Lakshamma, W/o Late Sethu Ramaiah, Aged about 70 years, 2. Prabhavathi, D/o Late Sethu Ramaiah, W/o Nagaraja, Aged about 45 years, R/at Kirijaji Village, Kasaba Hobli, Hunsur Taluk. 3. Mr. Kumara.H.S., S/o Late Sethu Ramaiah, Aged about 43 years, Petitioners No.1 and 3 are R/o Haraduru Village, Bettadapura Hobli, Periyapatna Taluk, Mysuru District. 4. Latha, D/o Late Sethu Ramaiah,

	W/o Shivanna, Aged about 39 years, R/o Makodu Village, Ravanduru Hobli, Periyapatna Taluk. Mysuru District.
	(By Sri.KB.-Advocate)
	-And-
Respondent:	The Tahasildar, Taluk office, Periyapatna.
	Absent

ORDER ON PETITION FILED U/S 13(3) OF THE BIRTHS & DEATHS ACT OF 1969.

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

2. It is stated in the petition that the husband of petitioner No.1 and father of petitioner No.2 to 4 by name, **Late Sethu Ramaiah died on 03.06.1997 at Haraduru Village, Bettadapura Hobli, Periyapatna Taluk.** The petitioners recently came to know that his death had not been registered when they applied for the issuance of a death certificate. The respondent issued an endorsement stating that there is no entry regarding the death of **Late Sethu Ramaiah** in the death

register. Hence, the petitioners have filed the present petition seeking a direction to the respondent to register the date of death of **Late Sethu Ramaiah** in the concerned register.

3. After issuance of notice, the respondent remained absent and was placed ex-parte. The matter was thereafter posted for recording the evidence of the petitioner.

4. Now, the following points arise for consideration of this Court are:

Point No.1. Whether the petitioners are entitled to the relief as prayed for ?

Point No.2. What order ?

5. The petitioner No.3 examined himself as PW-1 and got marked eight documents as Ex.P1 to Ex.P 8. The evidence of PW-1 has remained unchallenged.

6. Heard the arguments on behalf of the petitioners.

7. The findings of this Court on the above said points are as under:

Point No.1: In the Affirmative.

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

REASONS

8. Point No.1: The petitioners have approached this Court under Section 13(3) of the Registration of Births and Deaths Act, 1969 seeking a direction to the respondent to register the death of **Late Sethu Ramaiah** i.e., husband of petitioner No.1 and father of petitioner No.2 to 4 who is stated to have expired on **03.06.1997 at Haraduru Village, Bettadapura Hobli, Periyapatna Taluk.**

9. It is the specific case of the petitioners that the death of **Late Sethu Ramaiah** was never registered and that this fact came to their knowledge only when they applied for issuance of a death certificate. The respondent authority issued an endorsement stating that no entry regarding the said death was found in the death register, which necessitated filing of the present petition.

10. Despite service of notice, the respondent remained absent and was placed ex-parte. The petitioner No.3 examined himself as PW-1 and filed an affidavit in lieu of chief examination reiterating the averments made in the petition. He

has produced the Non-Availability Certificate (Ex.P1), Newspaper publications in “Mandyada Ruvary” (Ex.P2), issued inviting objections, if any, from the public and an affidavit regarding family genealogy (Ex.P.3). He also produced the notarized copy of the Aadhar cards of petitioner No.1 to 4 (Ex.P.4 to 7) and notarized copy of the report of Revenue Inspector (Ex.P.8).

11. The evidence of PW-1 has remained unchallenged. No objections have been filed by any person in response to the newspaper publication. In the absence of cross-examination or rebuttal evidence, the testimony of PW-1 inspires confidence and deserves acceptance.

12. On careful consideration of the oral and documentary evidence, particularly Ex.P.1 to 3, this Court is satisfied that the petitioner has established the factum of death of **Late Sethu Ramaiah** and the non-registration thereof. The requirement under Section 13(3) of the Registration of Births and Deaths Act, 1969 has been duly complied with. Accordingly, this Court finds that sufficient grounds exist to

grant the relief sought and to issue a direction to the respondent to register the death of **Late Sethu Ramaiah** as prayed. Hence, this Court answer point No.1 in the affirmative.

13. Point No.2: In the result, this Court proceeded to pass the following ;

ORDER

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

The respondent is hereby directed to register and enter the date of death of **‘Late Sethu Ramaiah S/o Late Thammegowda who died on 03.06.1997 at Haraduru Village, Bettadapura Hobli, Periyapatna Taluk,** in the concerned register, as stated in the petition, after collecting the prescribed fee and complying with the requirements of law.

(Typed by stenographer, corrected, signed, and pronounced by me in open court this **4th** day of **August, 2026**)

(Smt.Vidya A.S)
I Additional Civil Judge & J.M.F.C.,
Periyapatna.

ANNEXURE**List of the witness examined on behalf of the petitioners:**

P.W.1 : Kumara.H.S.

List of witness examined on behalf of the Respondent:

-Nil-

List of Documents are marked on behalf the petitioners:

Ex.P.1 : Non-Availability Certificate

Ex.P.2 : Newspaper publications in “Mandyada Ruvaru”

Ex.P.3 : Affidavit regarding family genealogy

Ex.P.4 : Notarized copy of Aadhar card of petitioner No.1

Ex.P.5 : Notarized copy of Aadhar card of petitioner No.2

Ex.P.6 : Notarized copy of Aadhar card of petitioner No.3

Ex.P.7 : Notarized copy of Aadhar card of petitioner No.4

Ex.P.8 : Notarized copy of report of Revenue Inspector

List of Documents are marked on behalf of the Respondent:

-Nil-

(Smt.Vidya A.S)
I Additional Civil Judge & J.M.F.C.,
Periyapatna.