



**IN THE COURT OF ADDL. CIVIL JUDGE AND
J.M.F.C., AT-SIRA.**

Dated : **6th day of DECEMBER - 2022.**
Present : Smt. Lakshmi. M.V. B.A.L.L.B.
Addl.Civil. Judge and J.M.F.C., Sira.

Cr1.Misc.No. 446/2022

- PETITIONERS:**1. Suresh Kumar S/o Late.Devendrappa,
Aged about 65 years,
2. Prabhakara S/o Late. Devendrappa,
Aged about 76 years,
3. Mahabala S/o Late. Devendrappa,
Aged about 71 years,
4. Gummataraju S/o Late. Devendrappa,
Aged about 69 years,
5. Pashwanatha S/o Late. Devendrappa,
Aged about 67 years,
6. Jinnesh S/o Late. Sridhara
Aged about 45 years,
7. Nagesh S/o Late. Sridhara
Aged about 42 years,

All are R/o.
Karidasarahalli Village,
Hulikunte Hobli, Sira Taluk,
Tumakuru District.



(Reptd by **Sri.Eranna**
Advocate)

V/s

RESPONDENT : The Deputy Tahasildar
Hulikunte Hobli,
Sira Taluk, Tumakuru District.
(Placed Ex-parte)

O R D E R

The petitioners have filed this petition under Section 13 (3) of Birth's and Death's Registration Act, seeking to condone the delay in reporting the date of death of *Father* of the petitioner No.1 to 5, *Grand-Father* of petitioner No.6 & 7 by name **DEVENDRAPPA S/O LATE. PASHYAPPA in the death register as 12-06-1983** and prayed to give direction to the respondent to register the same in the Death Register.

2. The brief facts of the case of the Petitioners that the delay in reporting the date of death of *Father* of the petitioner No.1 to 5, *Grand-Father* of petitioner No.6 & 7 by name **DEVENDRAPPA S/O LATE. PASHYAPPA in the**



death register as 12-06-1983 is not an intentional, it is only bonafide one. Hence, petitioner seeks direction from the Court as stated above.

3. After service of notice, the respondent not appeared before the Court and not contested the petition. Hence, placed ex-parte.

4. In order to prove this case, the petitioners got examined himself as P.W.1 on his behalf and other petitioners and got marked as **Ex.P.1 to Ex.P6**. The **Ex.P1** is Non-availability certificate. **Ex.P2** is Notarized copy of G-Tree. **Ex.P3** is Notarized copy of Adhaar Card. Notarized copy of Election ID card is **Ex.P4**. **Ex.P5 & 6** are paper publications in **Times of Karnataka and Tumakuru Varthe** News papers and The petitioner No.1 in his evidence has reiterated and reaffirmed his contention taken in the petition. The entry of date of death in the concerned register is essential for getting Government benefits.

5. Heard the arguments and perused the record.



6. From the record it is seen that the of *Father* of the petitioner No.1 to 5, *Grand-Father* of petitioner No.6 & 7 by name **DEVENDRAPPA S/O LATE. PASHYAPPA** in the **death register as 12-06-1983** is in the residence of the petitioner. There was no registration of same as per the non-availability certificate at **Ex.P1**. Moreover, inspite of service of notice also respondent has not appear before this Court and not challenged the averments made in the petition. The respondent has not entered into the witness box to lead evidence to dispute the claim of the petitioners. Hence, this Court has no reason to disbelieve the evidence of P.W.1. Hence, these courts proceed to pass the following:

ORDER

The Petition filed by the petitioners U/s. 13(3) of Registration of Births and Death Act, 1969, is hereby ALLOWED.

The respondent is hereby directed to register the date of death of *Father* of the petitioner No.1 to 5, *Grand-Father* of petitioner No.6 & 7 by name



**DEVENDRAPPA S/O LATE.
PASHYAPPA in the death register
as 12-06-1983** and place of death
as at the residence of petitioners i.e.,
Karidasarahalli Village, Hulikunte
Hobli, Sira Taluk, Tumakuru District.

This order shall not be made use
for any other purpose than to effect
the entry in the relevant register.

Office to intimate accordingly.

(Directly dictated to the Typist on Computer, Computerized and print out taken by him,
corrected, signed and then pronounced by me in the Open Court on this on **06-12-2022**)

(Smt. Lakshmi. M.V)
Addl. Civil Judge and J.M.F.C.,
Sira.

ANNEXURE

1. List of witness examined for the petitioner:

Pw 1 : Sureshkumar

2. List of documents marked for the petitioner:

Ex.P1 : Non-availability certificate.

Ex.P2 : Notarized copy of G-Tree,

Ex.P3 : Notarized copy of Adhar Card.



- Ex.P4 : Notarized copy of Election ID Card.
- Ex.P5 & 6 : Suvarna Times of Karnataka and Tumakuru Varthe, Kannada News papers.
3. List of witness examined for the Respondent:
Nil.
4. List of documents marked for the Respondent:
Nil.

(Smt. Lakshmi. M.V.)
Addl. Civil Judge and J.M.F.C.,
Sira.



ORDER

(Vide Separate Order)

The Petition filed by the petitioners U/s. 13(3) of Registration of Births and Death Act, 1969, is hereby ALLOWED.

The respondent is hereby directed to register the date of death of *Father* of the petitioner No.1 to 5, *Grand-Father* of petitioner No.6 & 7 by name **DEVENDRAPPA S/O LATE. PASHYAPPA in the death register as 12-06-1983** and place of death as at the residence of petitioners i.e., Karidasarahalli Village, Hulikunte Hobli, Sira Taluk, Tumakuru District.

This order shall not be made use for any other purpose than to effect the entry in the relevant register.

Office to intimate accordingly.

ACJ & J.M.F.C.,

Sira.

