

IN THE COURT OF THE PRL. CIVIL JUDGE & JMFC, AT KOLLEGAL

Dated 06th day of August 2026

**PRESENT :
SMT. KAVYASHREE M**

**B.A., L.L.B.,
Prl. Civil Judge & JMFC,
Kollegal.**

C.Mis. No.509/2026

**PETITIONER : Sheela.S D/o Late Shekhar,
Aged about 42 years,
R/o No.3/139, Nayakara Dodda Beedi,
Kasaba Hobli, Kollegal Taluk,
Chamarajanagara District.**

(By Sri. Shigaraju, Advocate)

Vs/-

**RESPONDENT : The Commissioner,
CMC., Kollegal Town,
Kollegal Taluk,
Chamarajanagara District.**

(Ex-parte)

O R D E R

This is a petition under Section 13(3) of Registration of Births and Deaths Act, 1969 filed by the petitioners seeking issuance of death certificate of one **Shekhar S/o Late Basavaiah.**

2. The brief facts are as here under :

That the father of petitioner by name **Shekhar S/o Late Basavaiah** was died on **15.09.2007** at **Kollegal Town, Kollegal Taluk, Chamarajanagar District.** Though the petitioner has informed to respondent to register the date of death of **Shekhar S/o Late Basavaiah**, respondent has not entered the date of death due to

oversight or by inadvertence. When the petitioner applied for death certificate, respondent issued non-availability certificate dated **16.03.2026**. The petitioner require the death certificate of **Shekhar S/o Late Basavaiah**, to getting khatha and pahani in respect of landed properties and some other purposes. Therefore, this petition is filed seeking a direction to respondent to register the death event of **Shekhar S/o Late Basavaiah** in the death register.

3. After receipt of summons, respondents have not appeared before this court and hence, respondents have been placed Ex-parte and case was proceeded with.

4. The petitioner to prove her case, petitioner got examined herself as PW-1 and got marked the documents as Ex.P-1 to Ex.P-5 and closed her side.

5. Heard the arguments. Perused the records.

6. The points that arise for my determination are:

1. Whether the petitioners are entitled for the relief claimed in the petition ?
2. What order ?

7. My answer to the above 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 petitioner in support of petition claim, examined petitioner as PW-1 and got marked the documents as per Ex.P-1 to Ex.P.5. Ex.P.1 to Ex.P.5, i.e., Non-availability certificate, genealogy, two paper publication and Election identity card of

petitioner produced by the petitioner revealed that the date of death of **Shekhar S/o Late Basavaiah** is not entered in the concerned register. She has further stated that though the date of death was informed to respondent, she has failed to register the same in the concerned register. In spite of issuance of summons, respondent remained absent. The testimony of PW-1 remained unrebutted and unchallenged. There are no reasons to disbelieve the version of petitioners. If the petition is allowed, no prejudice will be caused to the respondent. Therefore, I answer point No.1 in the 'Affirmative'.

9. **POINT No.2** : In view of the answer given to point No.1 in the Affirmative, I pass the following :

ORDER

The petition filed under Section 13(3) Of Registration of Births and Deaths Act, 1969 is hereby Allowed.

The respondent is hereby directed to register the death event of **Shekhar S/o Late Basavaiah** was died on **15.09.2007** at **Kollegal Town, Kollegal Taluk, Chamarajanagar District**. in the concerned register and to issue death certificate on receiving the requisite fee.

(Typed to my dictation by the Stenographer directly on computer, then corrected, printout taken, signed and then pronounced by me in the open court on this the **06th day of August 2026**)

(Kavyashree M)
Prl. Civil Judge & JMFC,
Kollegal .

A N N E X U R E

List of witnesses examined on behalf of Petitioner :

PW.1 : Sheela.S

List of documents marked on behalf of Petitioner :

Ex.P.1 : Non-availability certificate

Ex.P.2 : Genealogy

Ex.P.3 & 4 : Two publications

Ex.P.5 : Election Identity Card

List of witnesses examined and documents marked on behalf of Respondent :

- N I L -

(Kavyashree M)
Prl. Civil Judge & JMFC,
Kollegal .

(Vide separate Order pronounced in Open Court)

∴ O R D E R ∴-

The petition filed under Section 13(3) Of Registration of Births and Deaths Act, 1969 is hereby Allowed.

The respondent is hereby directed to register the death event of **Shekhar S/o Late Basavaiah was died on 15.09.2007** at Kollegal Town, Kollegal Taluk, Chamarajanagar District. in the concerned register and to issue death certificate on receiving the requisite fee.

(Kavyashree M)

Prl. Civil Judge & JMFC,
Kollegal.