

ORDER ON MAIN PETITION

Dated: 03.01.2024

The petitioners - Smt. Manchamma and others have filed this petition seeking for issuance of death certificate of **Kaggalinayaka S/o late Devanaika**, who died on **05.07.1975 at Bolanahalli Village, Bilikere Hobli, Hunsur Taluk, Mysuru District** and to issue direction to the respondent to enter the date of death of **Kaggalinayaka S/o late Devanaika**. Said **Kaggalinayaka** is the father-in-law of Petitioner-1 and grand father of Petitioners-2 to 5.

The petition notice to the respondent was duly served. In spite of service of notice, the respondent did not choose to appear and contest the matter. The petitioner No.5 duly sworn to affidavit chief-examination on his behalf and on behalf of other Petitioners and has been examined as PW.1 in this petition and he has got marked the Non-availability certificate at Ex.P-1, Notarised copy of Genealogical Tree as Ex.P-2, Notarized copy of Aadhar Card as Ex.P-3, Mandyada Roovari, Kannada news paper at Ex.P-4 and the portion of publication as Ex.P-4(a). The petitioner No.5 /PW.1 has reiterated the contents of the petition in his examination in chief. As the respondent did not choose to appear and contest the matter, the evidence of PW.1 remained unchallenged. There is nothing available on record to disbelieve the version stated by the petitioner on oath. Apart from this, the explanation given by the petitioner No.5 for non informing the date of **death of his grand father** to the concerned authorities is also satisfactory one. The petitioner No.5 is the competent person to say regarding the **death** of his grand father by name **Kaggalinayaka S/o late Devanaika**. Hence, in my opinion, the petitioner No.2 has made out sufficient grounds to issue directions to the respondent authority as prayed in the petition. Hence, I pass the following:

Crl.Mis.No.449/2023

ORDER

The petition filed by the petitioners is hereby allowed.

The Respondent is hereby directed to register the date of **death** of **Kaggalinayaka S/o late Devanaika**, who died on **05.07.1975** at **Bolanahalli Village, Bilikere Hobli, Hunsur Taluk, Mysuru District** and to issue death certificate to the petitioners accordingly by collecting late fees.

**Addl. Civil Judge & J.M.F.C.
Hunsur.**