

C.Miss.No.596/2023

Dt.23.03.2023

ORDERS ON PETITION

The Petitioners have filed this petition U/s 13(3) of the Registration of Births and Deaths Act seeking direction to Respondent Authority to cause entry of death date of husband of Petitioner No.1 and father of Petitioners No.2 & 3 in the concerned register.

2.The factual matrix of the petitioner's case is as under:-

The husband of Petitioner No.1 and father of Petitioners No.2 & 3 died on **17.03.2021**. The petitioners are in need of death certificate for documentation purpose, in this regard, they have approached the Respondent authority for death certificate. The Respondent authority issued Non availability endorsement. Hence, the petitioners are construed to file this petition.

3. Heard. In spite of issuance of notice, the respondent failed to appear before this court. Hence, case is posted for evidence. Petitioner himself examined as PW1 and got marked Ex.P.1 to P.5.

4. Heard.

5. The following points arise for my consideration:

1. Whether direction is necessary to cause entry of the death date of the husband of Petitioner No.1 and father of Petitioners No.2 & 3 in the concerned register maintained by the Respondent authority.?

2. What Order?

6. By considering the petition averments, evidence and hearing of the parties my answer to the above **point is in the Affirmative** for the following.....,

REASONS

7. The learned counsel for the petitioner submitted his contention as per the pleadings of the petitioner.

8. In this case, the petitioners have specifically taken contention that, husband of Petitioner No.1 and father or Petitioners No.2 & 3 died on **17.03.2021**, the respondent authority issued non availability certificate, it clearly shows that the respondent authority not caused entry in respect of death date of husband of Petitioner No.1 and father or Petitioners No.2 & 3 in concerned register. By considering all these aspects I am of the opinion that, it is just and proper to cause entry of the date of death of the husband of Petitioner No.1 and father or Petitioners No.2 & 3 in the concerned register. Therefore, proceed to pass the following..,

ORDER

The petition filed by the petitioner under Section 13(3) of the Registration of Births and Deaths Act, 1969 is allowed.

The Respondent is hereby directed to enter the date of death of the husband of Petitioner No.1 and father or Petitioners No.2 & 3 by name Beera B Ponnappa, S/o.Late B.P.Belliappa, died on 17.03.2021, in the concerned register and issue the death certificate of the Petitioner, after collecting the prescribed fee, as per law.

(I.P.Naik)
XXX Addl.C.M.M., B'lore.