

7.5.2018

Petitioner by Sri SSG Adv.,

For Orders

ORDER ON MAIN PETITION

The petitioner filed this petition seeking issuance of directions to Respondent No.1 to enter the date of death of his father, who died on 9.10.2009 in his house at Korlagundi village, Ballari taluk and district.

The petition notice to the Respondents was duly served. In spite of service of notice, the Respondents did not appear. The petitioner has been examined as PW 1 and got marked Ex.P.1/non-availability certificate, Ex.P-2/genealogical tree, Ex.P.3/copy of Aadhar card of PW 1, Ex.P.4 & 5 are kannada news papers. The PW.1 has reiterated the contents of the petition in his examination in chief. As the Respondents did not choose to appear, the evidence of PW 1 remained unchallenged. There is nothing available on record to disbelieve the version stated by the PW.1 on oath. Apart from this, the explanation given by the PW.1 for non-informing the date of death of his father to the concerned authorities is also satisfactory one. The PW.1 is the competent person to say regarding his father's death. Hence, in my opinion the petitioner has made out grounds to issue directions to the Respondent No.1 authority as prayed in the petition. Hence, I pass the following :

ORDER

- The petition filed by the petitioner is hereby allowed.
- The Respondent No.1 is hereby directed to register the date of death of petitioner's father by name Dodda Mareppa son of late Bajarappa was died on 9.10.2009 at Korlagundi village, Ballari taluk and to issue death certificate to the petitioner accordingly by collecting late fees.

IV Addl. CIVIL JUDGE & JMFC,
BALLARI.

