

**THE HON'BLE SRI JUSTICE SANJAY KUMAR**

**WRIT PETITION No.1918 of 2019**

**ORDER:**

The grievance of the petitioner is that the Revenue Divisional Officer, Bhongir Division, Yadadri Bhongir District, is not taking steps upon her application dated 03.01.2018 made under Section 13(3) of the Registration of Births and Deaths Act, 1969 (for short, 'the Act of 1969'), in relation to registration of her grandfather's death on 22.12.1973. According to the petitioner, her grandfather, late M.D. Usman Khan, died a natural death at his residence. However, she requires a death certificate for some litigation purpose and accordingly, she applied to the Revenue Divisional Officer, Bhongir Division, Yadadri Bhongir District.

As per Section 13(3) of the Act of 1969, any birth or death which has not been registered within one year of its occurrence can be registered only upon an order made by a Magistrate of First Class or a Presidency Magistrate after verifying the correctness of the birth or death and on payment of prescribed fee. As per Rule 9(3) of the Andhra Pradesh Registration of Births and Deaths Rules, 1999, applicable in the State of Telangana presently, any birth or death which has not been registered within one year of its occurrence can be registered only on the order of an officer of the rank of Revenue Divisional Officer or above on payment of late fee of rupees ten.

In the light of the aforestated statutory scheme, the Revenue Divisional Officer, Bhongir Division, Yadadri Bhongir District, is bound to undertake an enquiry to verify the correctness of the date of death claimed by the petitioner in relation to her late grandfather. It is not open to the Revenue Divisional Officer to keep the application pending indefinitely without taking any action thereon.

The writ petition is accordingly disposed of directing the Revenue Divisional Officer, Bhongir Division, Yadadri Bhongir District, to conduct an enquiry to verify the correctness of the date of death, viz., 22.12.1973, of the petitioner's grandfather, late M.D. Usman Khan, and thereafter, take appropriate action in accordance with law. This exercise shall be completed expeditiously and in any event, not later than eight weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

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**JUSTICE SANJAY KUMAR**

Date:04.02.2019

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