

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

**WRIT PETITION No.18261 of 2014**

**ORDER:**

The petitioner is aggrieved by the refusal of his request for issuance of a death certificate in relation to his paternal grandmother, *vide* Memo dated 18.05.2013 of the Tahsildar, Korutla.

It is an admitted fact that the petitioner's paternal grandmother died on 06.07.2004 but it was only in the year 2013 that the petitioner sought issuance of her death certificate. By the impugned Memo dated 18.05.2013, the Tahsildar, Korutla, noted that there was no record of the factum of the death of the petitioner's paternal grandmother and accordingly rejected his request for issuance of a death certificate.

Sri Ch.Srinivas, learned counsel representing Sri K.Vasudeva Reddy, learned counsel for the petitioner, does not dispute the fact that there was no registration of the death of the petitioner's paternal grandmother after her death under the provisions of the Registration of Births and Deaths Act, 1969 (*for brevity*, 'the Act of 1969').

Section 13 of the Act of 1969 deals with 'delayed registration of births and deaths'. Section 13(1) provides that any birth or death of which information is given to the Registrar after the expiry of the period specified therefor, or within thirty days of its occurrence, shall be registered on payment of such late fee as may be prescribed. Section 13(2) states that any birth or death of which delayed information is given to the Registrar after thirty days but within one year of its occurrence shall be registered only with the written permission of the prescribed authority and on payment of the prescribed fee. Section 13(3) provides that any birth or death which has not been registered within one year of its occurrence shall be registered only on an order made by a Magistrate

of the First Class or a Presidency Magistrate after verifying the correctness of the birth or death and on payment of the prescribed fee.

As it is an admitted fact that the petitioner's paternal grandmother's death has not been registered within one year of its occurrence, the petitioner would invariably have to abide by the due procedure prescribed under the statute as set out *supra*. Without getting her death registered, it would not be open to him to seek issuance of a death certificate.

The writ petition is accordingly closed leaving it open to the petitioner to follow the due procedure for getting the death of his paternal grandmother registered and thereafter, apply for a death certificate as per the due procedure.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

---

**JUSTICE SANJAY KUMAR**

Date:28.01.2019

PGS