

DECREE

IN THE COURT OF THE PRL. CIVIL JUDGE AND JMFC, UDUPI

Present : Smt. Deepa, M.A., LL.B.,
Prl. Civil Judge & JMFC, Udupi

Dated this the 1st day of April, 2023

ORIGINAL SUIT NO.858/2022

Between:

- Plaintiffs : 1. Smt. K. Shrimathi,
Aged about 42 years,
W/o. U. Ramakrishna,
2. Rashmitha Rao,
Aged about 15 years,
D/o. U. Ramakrishna,
R/at D.No.5-450B, Budharu,
Shivalli Village, Kunjibettu Post,
Udupi Taluk and District.
Minor, Rep. by her mother/
plaintiff No.1

(Rep. by Sri. Shrinivas Upadhya B., advocate)

- and -

- Defendants:1. The State of Karnataka,
Represented by the Deputy Commissioner,
Udupi District, Rajathadri, Manipal.
2. The Registrar of Birth and Death,
City Municipality, Udupi.

(Rep. by D.G.P.)

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Plaint presented on 23-09-2022 and registered on 19-10-2022.

Suit is for a judgment and decree against the defendants, (a) to grant a declaratory decree declaring that the plaintiff No.1's name and plaintiff No.2's name in the birth certificate in relating to plaintiff No.2's birth certificate plaintiff No.1's name SHRIMATHI RAO instead of K SHRIMATHI and plaintiff No.2's name entered as RASMITHA RAO instead of RASHMITHA RAO, entered in birth certificate bearing Reg. No.803141/U/B/2007/004642 dated: 16/11/2007 and plaintiff No.1's name and plaintiff No.2's name SHRIMATHI RAO and RASMITHA RAO is not correct which is by mistake as such issue direction to defendant No.2 to rectify the same, (b) to grant a mandatory injunction against the defendant to rectify the plaintiff No.1 and plaintiff No.2's name is K SHRIMATHI and RASHMITHA RAO entered in birth certificate bearing Reg. No. 803141/U/B/2007/004642 dated: 16/11/2007/004642 dated: 16/11/2007, as plaintiff No.1's name and plaintiff No.2's name SHRIMATHI RAO and RASMITHA RAO is not correct which is by mistake as such issue direction to defendant No.2 to rectify the same, (c) to grant such other and further reliefs as the circumstances of the case may require.

The cause of action for the suit arose on 13-08-2022 when the plaintiff got knowledge of the mistake, which is within the jurisdiction of this Court.

The plaintiffs valued the suit for the purpose of Court fee of Rs.1,000/- and jurisdiction of Rs.1,000/- and a Court fee of Rs.25/- is paid under Sec.24(d) of the KCF and SV Act, 1958.

This suit coming on 13-02-2023 for recording evidence and on 02-03-2023 for hearing arguments before me in the presence of Sri. Shrinivas Upadhyaya B., advocate for plaintiffs and the defendants being represented by D.G.P. and the matter having stood over till this day for consideration, this Court doth hereby Order and Decree as follows:-

- (i) that, suit of the plaintiffs is decreed,
- (ii) that, it is declared that, name of the 2nd plaintiff as **“RASHMITHA RAO”** and her mother's name as **“K. SHRIMATHI”**,
- (iii) that, the defendants are hereby directed to rectify the name of the 2nd plaintiff as **“RASHMITHA RAO”** and her mother's name as **“K. SHRIMATHI”** in the birth certificate of 2nd plaintiff and issue Birth

Certificate to that effect by collecting necessary fees,

(iv) that, no order as to costs.

Given under my hand and seal of the Court, this the 1st day of April, 2023.

Prl. Civil Judge & J.M.F.C., Udupi

SCHEDULE OF COSTS

Sl.No.		Plaintiffs	Defendants
		Rs.	Rs.
1.	Court fee on plaint	25-00	--
2.	Court fee on process	16-00	--
3.	Typing & Clerical charges	200-00	200-00
4.	Advocate fee	N.C.	N.C.
	Total	241-00	200-00

Prl. Civil Judge & JMFC, Udupi

Decree signed on: 10-04-2023

Prl. Civil Judge & J.M.F.C., Udupi