

KABC030310542026



**IN THE COURT OF THE XXVIII ADDL. CHIEF JUDICIAL
MAGISTRATE, BENGALURU CITY**

**Present: Smt.Nagamma.M.Ichchangi
B.A.,LL.B.,(Spl)**

**XXVIII Addl. Chief Judicial
Magistrate, Bengaluru City.**

DATED; THIS THE 3rd DAY OF JULY -2026

CRL.MISC.NO.4781/2026

Petitioners:

Neela R.,
Minor in Age, R/by natural guardian,
Smt.Pavithra-mother,
W/o Raju,
Aged about 33 years,
R/at No.123, 2nd A Cross,
J C Road, Cement Compound Huts,
Bengaluru North, Bengaluru-560002.

(By Sri. Umadevi.,Adv.,)

V/s.

Respondent:

The Commissioner of BBMP,
Registrar of Birth & Deaths
Bengaluru.

(Ex-Parte)

**ORDER ON PETITION FILED UNDER SECTION 13(3) OF
KARNATAKA REGISTRATION OF BIRTHS AND DEATHS ACT,
1969.**

Petitioner has filed this petition under section 13(3) of Karnataka registration of births and deaths Act, 1969.

2.Brief facts of the case are as under:

Petitioner by name Neela R, D/o Raju and Pavithra, is a minor who is under care and custody of her natural guardian i.e., her mother

by name Smt.Pavithra W/o Raju. The petitioner was born on 28/01/2018, at No.123, 2nd A Cross, J C Road, Cement Compound Huts, Bengaluru North, Bengaluru-560002. After the birth of petitioner, the parents of the petitioner did not comply the event of the birth of petitioner's to the respondent due to ignorance of law and procedure. The petitioner has approached to the respondent with request to issue birth certificate, as the petitioner is in need of birth certificate for documentation purpose and other purpose. The respondent in-turn got issued endorsement stating that date of birth of the petitioner is not entered in the registered in the office. Hence, this petition.

3. After institution of the petition this court has issued notice to the respondent. In spite of service of notice the respondent did not appeared before the court. Hence, respondent placed ex-parte.

4. To substantiate the case natural guardian of petitioner i.e., mother of the petitioner by name Smt.Pavithra W/o Raju got examined herself as PW.1 and got marked 04 documents at Ex.P.1 to 4.

5. Heard counsel for the petitioner and perused the materials placed on record.

6. Upon hearing argument and on perusal of material placed on records, following points arises for consideration:

1. **Whether the petitioner has made out sufficient grounds for allowing the petition?**

2. **What order?**

7. My answer to the above points are as under:

Point No.1: In the Affirmative.

Point No.2: As per the final order, for the following:

:REASONS:

8. **POINT NO.1:** In order to prove the case, the mother of the petitioner got examined herself as P.W.1 and reiterated the petition contents in her examination-in-chief affidavit and got marked non-

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availability certificate at Ex.P.1, the notarized copy of Study Certificate at Ex.P.2, the notarized copies of Aadhaar cards of mother and father of the petitioner at Ex.P.3 and 4. As respondent did not appear before the court, her testimony remained unchallenged and uncontroverted. Therefore, there is no reason to disbelieve the evidence given by PW.1.

9. The PW.1 has stated her chief examination that, Neela R, D/o Raju and Pavithra was born on 28/01/2018, at No.123, 2nd A Cross, J C Road, Cement Compound Huts, Bengaluru North, Bengaluru-560002, which remained unchallenged. Hence, the petitioner has made out grounds to allow the petition. Hence, I answered the point No.1 in the Affirmative.

10. POINT NO.2: For the foregoing reasons, I proceed to pass the following.

:ORDER:

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

Respondent is hereby directed to enter the date of birth of the petitioner i.e., **Neela R, D/o Raju and Pavithra, is a minor who is under care and custody of her natural guardian i.e., her mother by name Smt.Pavithra W/o Raju. The petitioner was born on 28/01/2018, at No.123, 2nd A Cross, J C Road, Cement Compound Huts, Bengaluru North, Bengaluru-560002**, in the concerned records and issue Birth Certificate to the petitioner after collecting necessary fee and fine.

No order as to costs.

(Directly dictated on computer to Stenographer, typed by her corrected and revised by me, signed and then order pronounced in the open court on 3rd day of July-2026)

(Smt.Nagamma.M.Ichchangi)
XXVIII Addl. Chief Judicial
Magistrate, Bengaluru City.

ANNEXURE

List of witnesses examined on behalf of the petitioner:

PW.1 : Smt. Pavithra W/o Raju.

List of documents marked on behalf of the petitioner:

Ex.P.1 : Non-availability Certificate.
Ex.P.2 : Notarized Study Certificate.
Ex.P.3 : Notarized copy of Aadhaar Card of mother of the petitioner.
Ex.P.4 : Notarized copy of Aadhaar card of father of the petitioner.

List of witnesses examined on behalf of the respondent:

-Nil-

List of documents marked on behalf of the respondent:

-Nil-

XXVIII Addl. Chief Judicial
Magistrate, Bengaluru City.

