

DECREE

IN THE COURT OF IV ADDL.CIVIL JUDGE & JMFC, UDUPI

Present : Sri. Jeethu R.S., B.A.L., LL.M.,
IV Addl. Civil Judge & JMFC, Udupi.

Dated: This the 28th day of February, 2023

Original Suit No. 845/2022

Between:

- Plaintiffs : 1. T. S. Farhan,
Aged about 15 years,
S/o. Tonse Shaikh Mohammed Rafiq,
Represented by his mother/
natural guardian,
2. Mrs. Naseem,
Aged about 39 years,
W/o. Tonse Shaikh Mohammed Rafiq,
R/at Door No.9-251,
Gujjarbettu, Paduthonse,
Kemmannu Post,
Udupi Taluk and District.
- (Rep. by Sri. Mahammad Suhan, advocate)
- and -

- Defendants:1. The Deputy Commissioner,
Udupi District, 'Rajathadri', Manipal,
Udupi District.
2. The Birth and Death Registrar,
Udupi City Municipality,
Udupi.
- (D1 & D2 : Rep. by A.D.G.P.)

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Plaint presented on 01-10-2022 and registered on 14-10-2022.

Suit is for a judgment and decree against the defendants, (a) for grant of declaratory decree to declare that, the correct name of 1st plaintiff's father's is "TONSE SHAIKH MOHAMMED RAFIQ" and for a consequential relief of a mandatory injunction directing the defendant No.2 to rectify the same in the birth certificate bearing No.803141/U/B/2007/002293, pertaining to the plaintiff No.1 and issue fresh Birth Certificate, (b) for grant of full cost of the suit, (c) for grant of such other and further reliefs as the circumstances of the case may require.

The cause of action for the suit arose on and since 01-08-2022, day of knowledge; 14-09-2022 the date on which application was made by 2nd plaintiff, before defendant No.2 for corrections; 15-09-2022 the date of issuance of endorsement, where the defendants are having their offices, which is within the jurisdiction of this Court.

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

This suit coming on 27-01-2023 for recording evidence and on 16-02-2023 & 28-02-2023 for hearing arguments before me in the presence of Sri. Mahammad Suhan, advocate for plaintiffs and the defendants No.1 & 2 being represented by A.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 the name of 1st plaintiff's father is **"Tonse Shaikh Mohammed Rafiq"**,
- iii. that, the defendants are directed to rectify the name of 1st plaintiff's father as **"Tonse Shaikh Mohammed Rafiq"** in the Birth Certificate of 1st plaintiff,
- iv. that, plaintiffs have to bear the costs for themselves and the defendants.

Given under my hand and seal of this Court, this the 28th day of February, 2023.

IV Addl. Civil Judge & JMFC, Udupi

SCHEDULE OF COSTS

		Plaintiffs	Defendants
1	Court fee on plaint	25-00	--
2	Court fee on Process	16-00	--
3	Typing and Clerical charges	200-00	200-00
4	Advocate fees	N.C.	N.C.
	Total	241-00	200-00

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Decree signed on: 07-03-2023

IV Addl. Civil Judge & JMFC, Udupi