



IN THE COURT OF III ADDL. CIVIL JUDGE AND JMFC.,
AT: GADAG.

PRESENT: Smt.Dipti Nadgauda, B.Com.,LL.B.
Prl. Civil Judge & JMFC, Gadag
C/C III Addl.Civil Judge & JMFC.,
Gadag.

DATED ON THIS THE 13th DAY OF JULY 2026

O.S. NO.18/2025

PLAINTIFF:- Basavannevva D/o Yallappa Bhajantri,
Age: 26 Years, Occu: Private Service,
R/o Adhyapak Nagar, Hulakoti,
Tq: & Dist: Gadag.

(By Sri. S.B.Kuri. Adv.)

-V/S-

DEFENDANT/S:-

1. B.E.O. Gadag.
2. The Head Master
Govt. School No.6.
Gadag, Tq & Dist. Gadag.
3. The Head Master
Govt. Girls Primary School,
Hulakoti, Tq. & Dist. Gadag.
4. The Head Master
Govt. High School- GGHS.
Hulakoti, Tq & Dist. Gadag
5. The District Commissioner
Gadag.

6. The Deputy Director of Public
Instructions Gadag.

**(By Assistant District Government
Pleader-II)**

Date of Institution of suit	:	13/01/2025		
Nature of suit	:	Declaration Suit		
Date of commencement of recording of evidence	:	14/10/2025		
Date of pronouncement of judgment	:	13/07/2026		
Total Duration	:	Year/s	Month/s	Day/s
		01	06	00

J U D G M E N T

This is a suit filed by the plaintiff against the defendants seeking relief of declaration to declare that her correct caste is “Koravar” and for consequential relief of mandatory injunction directing the defendants to make necessary corrections in the educational records of plaintiff by mentioning her caste as “Koravar”.

2. The case of the plaintiff in brief is that:

The plaintiff got admission in defendant No.2's school, then the plaintiff has taken T.C. and got admission in defendant No.3's school and studied 1st to 7th standard. Then plaintiff has studied 8th to 10th standard in defendant No.4's school.

It is further the case of the plaintiff that at the time of her admission to school, in the admission form due to over sight the defendant No.2 has entered her surname in the caste column as "Bhajantri". But, the plaintiff originally belongs to "Koravar" Community and her caste is "Koravar". The defendant No.2 has entered in the admission form sub caste as "Bhajantri", it was continued up to defendant No.4's school documents.

It is further case of the plaintiff that due to the mistake of her caste being wrongly entered in the said school record's, it is very difficult to continue in the job to the plaintiff as she is not getting any facilities and also to get the job it is very necessary to submit all school

documents and caste and income certificate. But due to the mistake of the said entry as in the caste column "Bhajantri" inspite of "Koravar" the plaintiff is facing difficulties to make her job as permanent and also the authenticated officer is not issuing the caste certificate to the plaintiff. Due to the same plaintiff is suffering a lot to get job. When the plaintiff has taken the certificates to apply for her job, she came to know that in leaving certificate the cast is wrongly entered as "Bhajantri" instead of "Koravar". But, in the all documents, except her Leaving Certificate, it was mentioned as "Koravar", which is the caste of the plaintiff. In the plaintiff's father and brothers documents in the caste column it is entered as "Koravar" .

After coming to know about the change of her caste in her L.C., the plaintiff has enquired the defendants No.1 to 4 to change the caste which was wrongly mentioned as "Bhajantri" instead of "Koravar". But, the defendants No.1 to 4 stated that, to make correction of her caste in Leaving Certificate, the Court Order is

necessary and on the base of Court Order and directions only it will be changed.

Thereafter, the plaintiff requested the defendants by issuing the legal notice under Section 80(1) of Code of Civil Procedure regarding the change and correction of the plaintiff's caste in the school records as "Koravar". Inspite of service of notice they have not changed/rectified the caste of plaintiff in the school rerecords. Hence, the plaintiff is constrained to file this suit for declaration and consequential relief of mandatory injunction to rectify in the school records of plaintiff in the caste column as "Koravar" by striking of "Bhajantri".

3. After service of Court summons, the defendants No.1 to 4 appeared through the Learned Assistant District Government Pleader. The defendants No.6 appeared through II Addl. District Government Pleader, has filed written statement. The defendants No.1 to 5 have filed the memo to adopt the written statement of defendant No.6.

4. In the written statement, the defendants have denied the entire plaint averments and contended that, the suit of the plaintiff is not maintainable either in law or on facts. Therefore, the suit is liable to be dismissed. The District Commissioner, Gadag and Tahashildar, Gadag are necessary parties to this suit. The plaintiff filed this suit without impleading them. Hence the suit of the plaintiff suffers from non-joinder of necessary parties. At the time of admission of the plaintiff to the defendant No.2 School, the parents of plaintiff has filled the admission form and signed it, stating the plaintiff's caste as "Bhajantri" and there is no fault on the part of defendant school authorities. It is further contended that the school authorities have no power to rectify the caste in the school records. Further, it is contended that, this court also has no jurisdiction to rectify the caste of the plaintiff. It is further contended that there is no cause of action to file this suit. Hence, prayed to dismiss the suit.

5. On the basis of above pleadings of both parties the following Issues have been framed.

ISSUES

1. Whether the plaintiff proves that, the true and correct caste of plaintiff is "Koravar" instead of "Bhajantri"?
2. Whether the plaintiff proves that, her caste is wrongly entered as "Bhajantri" in the School records?
3. Whether the plaintiff is entitled for the declaration as sought for?
4. What Order or Decree?

6. In order to substantiate case of the plaintiff, plaintiff herself examined as PW-1 and got marked documents as Ex.P-1 to Ex.P-13. At the time of cross-examination, counsel for defendant confronted Ex.D-1. The defendants have not chosen to lead defence evidence.

7. Heard arguments of learned advocate for plaintiff and Learned Asst. District Government Pleader for defendants. Perused plaint, written statement and all other materials on record.

8. My findings on the above issues are as under :

Issue No.1 : In the Negative

Issue No.2 : In the Negative

Issue No.3 : In the Negative

Issue No.4 : As per final order

for the following:

REASONS

9. Issues No.1 and 2:- These issues are inter connected with each other and hence in order to avoid repetition of facts, these issues are taken up together for common discussion.

10. It is the case of the plaintiff that, her correct caste is “Koravar”, but her caste is wrongly entered as “Bhajantri” in her school records.

11. Per contra, the defendants have contended that, the suit of the plaintiff is false, frivolous and not tenable in law and facts. The the defendants have denied the entire plaint averments and contended that, the details of the caste of the plaintiff in her school records has been entered as per the details furnished by her

parents at the time of her admission and that there is no fault on the part of defendants school authorities. It is further contended that the school authorities have no power to rectify the caste in the school records. Further it is contended that, this Court also has no jurisdiction to rectify the caste of the plaintiff. It is further contended that there is no cause of action to file this suit. Hence, prayed to dismiss the suit.

12. In order to prove her case, the plaintiff got herself examined as PW-1 and filed affidavit in lieu of her examination in chief and she has reiterated the plaint averments in her examination in chief. The definite case of the plaintiff is that, her true and correct caste is “Koravar” and that her caste name is wrongly entered as “Bhajantri” in the school records of defendants. The plaintiff in support of her case has produced documents which came to be marked as Ex.P-1 to Ex.P-13.

13. Ex.P-1 to Ex.P-4 are legal notices issued to defendants. Ex.P-5 are four postal receipts. Ex.P-6 are three postal acknowledgements. Ex.P-7 is RPAD Cover.

Ex.P-8 is study certificate of plaintiff issued by defendant No.2 in which her caste is entered as "Hindu Bhajantri". Ex.P-9 is certified copy of Transfer Certificate issued by defendant No.3 in which her caste is entered as "Hindu Bhajantri". Ex.P-10 is Transfer Certificate issued by defendant No.4 in which her caste is entered as "Hindu Bhajantri". Ex.P-11 is the certified copy of Caste Certificate of father of plaintiff issued by Tahashildar, Gadag in which his caste is entered as "Korum" . Ex.P-12 is the certified copy of Caste Certificate of mother of plaintiff issued by Tahashildar in which her caste is entered as "Koravar", Gadag. Ex.P-13 is the certified copy of Caste Certificate of brother of plaintiff issued by Tahashildar in which his caste is entered as "Koravar", Gadag. In the cross-examination of P.W.1, learned ADGP for defendant No.1 to 6 got marked copy of School Admission Form of plaintiff by confronting to PW-1 as per Ex.D-1.

14. On careful perusal of Ex.P-10, clearly show that the caste of the plaintiff is mentioned as "Bhajantri" .

As regards the correct caste of the plaintiff, plaintiff has not produced her caste certificate issued by concerned authorities which discloses that the caste of plaintiff is “Koravar”.

15. Learned Assistant District Government Pleader has cross-examined PW-1, but nothing worth would be elicited so as to contradict the version of plaintiff. Nothing is brought during the cross-examination of PW-1 which favors the contentions of defendants. There is no contra evidence by defendants. But, it is well settled law that the plaintiff has to prove her case by leading cogent evidence and cannot harp on the weaknesses of the defendants.

16. It is the specific case of the plaintiff that, her true and correct caste is “Koravar” and that her caste name is wrongly entered as “Bhajantri” in the school records of defendants and is seeking direction to the defendants to cause the said rectification of the caste of the plaintiff in her school records. But the defendants have contended that, this Court has no jurisdiction to

grant the said relief. In respect of the same it is relevant to note that, the ***Hon'ble High Court of Karnataka in RSA No.359/2022 (DEC/INJ) (clubbed with RSA No.340/2022 (DEC/INJ) dated 07/03/2024 between Mis Alphas and the Chief Secretary and others*** has discussed about the jurisdiction of Civil Court with respect to grant a relief of declaration and grant a relief of mandatory injunction. The Hon'ble High Court of Karnataka in Para No.18(c) has discussed with respect to the jurisdiction of Civil Court with respect to the correction of school records. In para No.18(f) of the Judgment the Hon'ble High Court of Karnataka held that, "recognition of error of discrepancies in school records is a legitimate ground for seeking judicial intervention. The bar under Section 9 of Code of Civil Procedure does not operate as a bar to the jurisdiction of the Civil Court in the matter. Where the relief is sought for correction of school records. The Karnataka Schedule Caste. Schedule Tribes and other Backward Classes (Reservation of

appointment etc.) Act 1990 does not provide a mechanism for addressing the discrepancies in the school records. As such the Court concluded that Civil Court has jurisdiction to grant a relief of mandatory injunction for the correction of school records". In the said Judgment there is a clear bifurcation with respect to the declaration of caste and with respect to the direction to the school authorities to rectify the school records. In the said judgment Hon'ble High Court has held that though the Civil Courts have no right to declare caste of the parties, mandatory injunction can be granted for rectification of caste in the school records when the plaintiff approaches the court with the caste certificate issued by concerned authorities.

17. In the case on hand, the plaintiff has sought mandatory injunction to rectify the correct caste of the plaintiff as "Koravar " in the school records instead of "Bhajantri". As such in view of the principle laid down in the above said judgment of Hon'ble High Court of Karnataka, Civil Court has jurisdiction to direct the

school authority to rectify the school records based on the caste certificate issued by Competent Authority. It is also well established that, Tahashildar is the Competent Authority to issue caste certificate. But in the case in hand, the plaintiff has not produced any such caste certificate issued by the Competent Authority in respect of her to establish that, her correct caste is "Koravar". Hence, in view of the above discussion plaintiff has failed to prove that, the correct caste of plaintiff is "Koravar" and not "Bhajantri" and that the same is wrongly entered in her school records by producing cogent and reliable documentary evidence. **Hence, I answer Issue No.1 and Issue No.2 in the negative.**

18. Issue No.3:- It is clear from the above discussions that, the plaintiff has not approached the court with the caste certificate issued by competent authorities. Hence plaintiff is not entitled for the relief of mandatory direction to defendants to rectify the caste of

the plaintiff as “Koravar” in place of “Bhajantri” in their records. **Hence, I answer Issue No.3 in the negative.**

19. Issue No.4:- In view of above reasons and discussions made on above referred issues, I proceeded to pass the following :

O R D E R

The suit of the plaintiff is hereby
dismissed with costs.

Draw decree accordingly.

(Dictated to the stenographer directly on computer system,
corrected by me and pronounced in the Open Court on
this the 13th day of July, 2026)

(Smt.Dipti Nadgauda)
Prl.Civil Judge & JMFC, Gadag
C/c III Addl.Civil Judge & JMFC., Gadag.

APPENDIX

List of witnesses examined for the plaintiff:

P.W. 1 : Basavannevva D/o Yallappa Bhajantri,

List of witnesses examined for the defendants:

- N I L -

List of documents marked for the plaintiff:

Ex.P-1 to P-4 : Legal notices
Ex.P-5 : Four postal receipts

Ex.P-6	:	Three postal acknowledgements
Ex.P-7	:	RPAD Cover
Ex.P-8	:	Study certificate of plaintiff
Ex.P-9	:	Certified copy of Transfer Certificate issued by defendant No.3
Ex.P-10	:	Certified copy of Transfer Certificate issued by defendant No.2
Ex.P-11 to P-13:		Xerox copies of Caste Certificates issued by Tahashildar,Gadag.

List of documents marked for the defendants:

Ex.D1:	School Admission Form of plaintiff issued by defendant No.2.
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(Smt.Dipti Nadgauda)
Prl.Civil Judge & JMFC, Gadag
C/c III Addl.Civil Judge & JMFC.,Gadag.