

**IN THE COURT OF THE II ADDITIONAL CHIEF JUDICIAL
MAGISTRATE OF BENGALURU CITY**

Dated this the 6th day of April 2026

PRESENT : **SRI.SAHEEL AHMED S. KUNNIBHAVI**, B.Com.,
LL.B. (Spl.)
II Additional Chief Judicial Magistrate, Bengaluru City

Cri.Misc.No.1857/2026

PETITIONER : Mohammed Kaleem,
Minor in age and represented by his
Natural Guardian father
Sri.Alla Bakash, S/o Abdul Kareem,
Aged about 29 years,
R/at No.547, Dayananda Slum,
Jayanagar 1st Block, Bengaluru South,
Bangalore-560 011.

(By Mrs.Kavitha N., Advocate)

V/s

RESPONDENT : The Commissioner/Tahsildar,
Registrar of Births & Deaths,
BBMP, Bengaluru.

(By Smt.Girija B., Advocate)

ORDERS

This petition is filed by the petitioner under Section 13(3) of the Registration of Births and Deaths Act, 1969 seeking directions to the respondent to register the event of the birth of his son and to issue Birth Certificate.

2. The petitioner has contended that his son by name Mohammed Kaleem was born on 19.07.2008 and due to ignorance of law and procedure they have not registered his date of birth with the respondent. The Birth Certificate is now required for documentation purpose. When they approached the respondent for Birth Certificate, they have issued Non-Availability Certificate. Hence, this petition.

3. The respondent filed statement of objections.

4. Heard both sides. Perused the materials on record.

5. The points that would arise for my consideration are as follows:-

1. Whether the petitioner has made out sufficient grounds to allow the Petition?

2. What order?

6. My findings on the above points are as under:-

Point No.1: In the Affirmative;

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

REASONS

7. **POINT No.1** : The petitioner has contended that his son by name Mohammed Kaleem was born on 19.07.2008 and his

birth particulars are not entered in the Register of the respondent due to ignorance of law and procedure. He was examined as PW1 and got marked Ex.P1 to Ex.P4 notarized documents. Ex.P1 is the Non-availability Certificate, Ex.P2 and 3 are the Aadhar Cards of the petitioner and his son respectively and Ex.P4 is the School Transfer Certificate of the son of the petitioner.

8. On perusal of the above oral and documentary evidence of PW4, it appears that the date of birth of the son of the petitioner by name Mohammed Kaleem is 19.07.2008. The petitioner has proved that the date of birth of his son is 19.07.2008 and his date of birth is not entered in the concerned Register of the respondent. The petitioner has made out sufficient grounds to allow the petition. Hence, I answer Point No.1 in Affirmative.

9. **POINT NO.2** :- In view of the above findings on Point No.1, I proceed to pass the following:

ORDERS

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

The respondent is directed to enter the event of birth of the son of the petitioner by name Mohammed Kaleem, S/o Alla Bakash and Smt.Haseena was born on 19.07.2008 at No.547, Dayananda Slum, Jayanagar 1st Block, Bengaluru South, Bangalore-560 011 and issue the birth certificate to the petitioner by collecting necessary fees.

It is made clear that the direction given in this case binds only the Petitioner and respondent in this case i.e., parties to this proceeding.

No order as to cost.

(Typed by Stenographer in the Court computer on my direct dictation, printout taken, corrected and then pronounced by me in the Open Court on this the 6th day of April 2026.)

(SAHEEL AHMED S. KUNNIBHAVI)
II Addl. Chief Judicial Magistrate,
Bengaluru City.

ANNEXURE

List of witnesses examined on behalf of the Petitioner :

PW1 : Alla Bakash.

List of documents marked on behalf of the Petitioner :

Ex.P1 : Non-Availability Certificate,
Ex.P2 & 3 : Notarized Aadhar Cards,
Ex.P4 : Notarized School Transfer Certificate.

List of witnesses examined on behalf of the Respondent :

- NIL-

List of documents marked on behalf of the Respondent :

- NIL -

II Addl. Chief Judicial Magistrate,
Bengaluru City.