

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

Dated this the 3rd day of June 2026

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

Cri.Misc.No.10191/2025

PETITIONER : Nagalakshmi , D/o Narasimha,
Aged about 47 years,
R/at No.390, Krishnamurthy Colony,
Siddapura, Jayanagara III Block,
Bengaluru South, Bengaluru-560011.

(By Smt.Anitha Lakshmi.C, Advocate)

V/s

RESPONDENT : The Registrar/Commissioner
of Births and Deaths Section,
Legal Cell, 5th Floor, BBMP Office,
N.R.Square, Bengaluru-560002.

(By Smt.Girija B., Advocate)

ORDERS

The petitioner has filed this petition U/s 13(3) of the Registration of Births & Deaths Act, 1969 seeking directions to register her birth and to issue Birth Certificate.

2. The petitioner has contended that she was born on 05.11.1978 and due to ignorance of law and procedure her parents have not registered her birth with the respondent. She

requires the Birth Certificate for documentation purpose. When she approached the respondent for Birth Certificate, they issued the Non-Availability Certificate. Hence, this petition is filed.

3. The respondent has 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 she was born on 05.11.1978 and her birth particulars are not entered in the Register of the respondent. She was examined as PW1 and got marked Ex.P1 to Ex.P5 notarized documents. Ex.P1 is the Non-Availability Certificate, Ex.P2 to Ex.P5 are the Bank Passbook,

Employee Identity Card, Election Identity Card and Aadhar Card of the petitioner respectively.

8. On perusal of Ex.P2 documentary evidence, the date of birth of the petitioner is proved as 05.11.1978. I verified its original. 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 petitioner by name Nagalakshmi, D/o Narasimha and Smt.Lakshamma as 05.11.1978 at No.390, Krishnamurthy Colony, Siddapura, Jayanagara III Block, Bengaluru South, Bengaluru-560011 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 3rd day of June 2026.)

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

ANNEXURE

List of witnesses examined on behalf of the Petitioner :

PW1 : Nagalakshmi.

List of documents marked on behalf of the Petitioner :

Ex.P1 : Non-Availability Certificate,
Ex.P2 : Notarized Bank Passbook,
Ex.P3 : Notarized Employee Identity Card,
Ex.P4 : Notarized Election Identity Card,
Ex.P5 : Notarized Aadhar Card.

List of witnesses examined on behalf of the Respondent :

- NIL-

List of documents marked on behalf of the Respondent :

- NIL -

II ACJM, Bengaluru City.