



IN THE COURT OF II ADDL. CIVIL JUDGE & JMFC, BELAGAVI

Present: Lakshmibai Basanagoud Patil,

B.A, L.L.B.(Spl)

II Addl. Civil Judge & JMFC, Belagavi.

This the day of 3rd August-2026

O.S. NO.428/2026

Plaintiff / s Shweta D/o. Suresh Koppad
After Marriage Shweta W/o. Maruti Kilargi
Age: 31years, Occ: House Wife, R/o: H.No: 69,
Sector No: 9, M.M.Extension, Anjaney Nagar,
Belgaum. Karnataka-590016.

(By Chetan Hedage, Adv)

V/s

Defendant /s 1. THE STATE OF KARNATAKA
Represented by Dy. Commissioner
Belagavi. Karnataka.

2. THE DEPUTY DIRECTOR,
Public Instructions, Belagavi
Club Road, Belagavi.

3. THE PRINCIPAL,
Saint Anthoni High School,
Khanapur Road, Camp, Belagavi,
Karnataka. Pin-590001.

4. THE REGIONAL OFFICER,
Main Office, Karnataka Secondary Education
Examination Board,

6th Cross, Malleshwaram, Bengaluru,
Karnataka 560003.

**(Defts. No.1,2 and 4 by Learned
ADGP and Deft No.3 by placed exparte)**

Date of institution of the suit	30.04.2026
Nature of suit	Declaration and Mandatory Injunction
Date of commencement of evidence	22.07.2026
Date on which the judgment was pronounced	03.08.2026
Duration of suit	Year/s Months Days - 03 04

JUDGMENT

This suit filed by the plaintiff against the defendants for the relief of declaration to declare the correct name of the plaintiff is Shweta Koppad and the relief of mandatory injunction to effect the said entry.

2. The brief facts of the case are as follows:

It is case of the plaintiff that, the Plaintiff completed her studies from the School of Defendant No.3, the Defendant No.4 is the Secondary School Examination Board. She was bona-fide

student of Defendant No.3 and 4. At the time of admission in the Defendant No.3 School, the Name of the Plaintiff and her father and mother name is mentioned as "SHWETA KOPPAD" father's name as "SURESH" and Mother name as "SUREKHA". However, the School Authorities due to oversight recorded the name of the plaintiff as "SHWETHA KOPPAD" in their records. The true and correct full name of plaintiff is "SHWETA KOPPAD" as per the records, when she was admitted in her primary school her name came to be enrolled in the school records as "SHWETHA KOPPAD" and father's name "SURESH" and mother name as "SUREKHA". The parents of Plaintiff on and offend requested the school authorities to rectify the wrong name in their records, however they neither rectified the name of Plaintiffs full name nor made any attempt to make necessary change in the records as per the records of the plaintiff. The Plaintiff is now attempting to join the Government Services, Semi Government Services and Pvt-services, all the educational documents i.e. passing certificate issued by the Secondary Education Examination Board

(KSEEB), and Pre-university Karnataka (PUC-II), will be considered at the time of joining the services. If correct name of Plaintiff name not rectified the incorrect name may lead to multiplicity of proceedings and the Plaintiff may face many issues in getting government employment and also it may create hurdle in Getting passport with such a wrong spelled names if it does not tally with all other certificates she had. The Plaintiff in order to get her records rectified approached the Defendants, but they flatly refused to do so unless she gets a decree from a Competent Civil Court. Hence, this suit.

3. On the other hand, inspite of service of suit summons, the defendant No.1, 2 and 4 appeared through learned ADGP and defendant No.2 filed written statement and the defendant No.1 and 4 adopted same. The defendant No.3 did not appeared before this Court, hence placed ex-parte.

In the written statement of defendants No.1, 2 and 4 are as follows:

The defendants No.1, 2 and 4 have denied the plaint averments and they have been contending that, the suit of the

plaintiff is false and frivolous vexatious. The nature of the suit of the plaintiff is not as per the provisions of the proper law. While filing the suit against the Government, the mandatory provisions U/Sec.80 of CPC are not followed. The suit of the plaintiff is not maintainable in the eye of law. The cause of action as shown in the plaint is false and imaginary. The suit of the plaintiff is suffering from non joinder of the party. The suit is not maintainable in the eyes of law. The cause of action as shown in the plaint is false and imaginary.

4. The defendants could not know the particulars of the plaintiff i.e., name, mother's name, father's name, surname, date of birth and caste etc and it is only as per the instruction and produced the particulars by the parents of the plaintiff, on the basis, the school authorities have mentioned in the records as per Government rules, on this contrary allegation of the plaintiff is not proper and unbelievable. The several times plaintiff has admitted i.e., at the time of admission and transfer from school to school and records are finalized as per law and correction of

the school records is improper and barred by law. Hence, prays to dismiss the suit with costs.

5. On the basis of the respective pleadings, the following issues arose for my determination;

ISSUES

- 1. Whether the Plaintiff proves that, the name of plaintiff is Shweta Koppad, the same was wrongly mentioned in plaintiff records?**
- 2. Whether the Plaintiff is entitled the reliefs as sought for?**
- 3. What order or decree ?**

6. In order to prove the case, the plaintiff examined herself as P.W.1 and got marked 8 documents at Ex.P.1 to Ex.P.8. On the other hand, the defendants did not adduce their evidence even though opportunity was given by this Court.

7. Heard arguments on learned counsel for the plaintiff and learned ADGP, and perused the materials placed on record carefully.

8. My answers to the above issues are as under: -

Issue No.1 : In the Affirmative;
Issue No.2 : In the Affirmative;
Issue No.3 : As per final order
for the following: -

REASONS

9. ISSUE NO.1:- This suit filed by the plaintiff against the defendants for the relief of declaration to declare the name of plaintiff is Shweta Koppad and the relief of mandatory injunction to effect the said entry.

10. In order to prove the case, the plaintiff has been examined herself as PW.1 and filed affidavit in lieu of examination-in-chief in which she has reiterated the averments of the plaint. In support of the case, she has produced 8 documents at Ex.P1 to 8. On perused the said documents, it appears that Ex.P.1 and Ex.P2 are Aadhar card and pan card of Shweta Suresh Koppad Ex.P3 to Ex.P6 are progress card of Shweta Suresh Koppad. Ex.P7 is PUC marks card of Shweta Koppad. Ex.P8 is SSLC marks card of Shwetha Koppad.

11. The plaintiff has sought to rectify the name of plaintiff.

On careful perusal of the documents submitted by the plaintiff, it is a recital that the name of the plaintiff has been mentioned in Ex.P1, Ex.P2 and Ex.P7 name of plaintiff as Shweta Koppad. On the other hand, in-spite of sufficient opportunity given to the Defendant's did not lead any defendant's evidence. Hence, there is no specific evidence on behalf of the defendants in the case of the plaintiff. There is no reason to disbelieve the testimony of P.W1 as the documentary evidence corroborates with the oral evidence. Apart from this, PW-1 has not admitted to the case of the defendants as contended by them in the cross-examination.

12. However, declaration for correction of the name of the plaintiff is concerned, I have relied upon citation of Hon'ble High Court of Karnataka in RSA No.5214/2011 DD dated: 02-03-2015 Kumar. Kallappa Mallappa Mali and another V/s The state of Karnataka and others wherein it is held as under,

"The civil court has no jurisdiction to declare the caste. So, to this extent, the suit is not maintainable.

However, the trial court has come to the conclusion that the name of the 1st plaintiff is Mali there is no dispute with regard to the surname of the father as Mali. The trial court on considering the evidence has arrived at a conclusion about the name of 1st plaintiff as Mali based on the evidence. To this extent, the 1st appellate court should not have interfered with the judgment of the trial court. Therefore, as regards caste, no substantial question of law arises. Judgment of the 1st appellate court to this extent is upheld and its judgment as regards caste of 1st plaintiff is set aside. Judgment of the trial court decelerating that the name of the 1st plaintiff as Mali is restored."

13. The principle laid down in the aforesaid citation is aptly applicable to the case on hand as in the instant suit also, the plaintiff is seeking a declaration of her name. The documents produced by the plaintiff disclose that the name of the plaintiff as Shweta Koppad. In view of the above discussion, this court is of the opinion that the plaintiff has proved the case. Accordingly, this court answered **issue No.1 in the Affirmative.**

14. ISSUE NO.2: When the plaintiff sought the relief of declaration and mandatory injunction by stating that, the name of plaintiff is Shweta Koppad. In the instant suit, the plaintiff has proved the case by adducing oral and documentary evidence as I already discussed in issue No.1. Therefore, the plaintiff is entitled to the relief as sought for. **Accordingly, this court answered issue No.2 in the Affirmative.**

15. ISSUE NO.3:- In view of the above findings and material placed on record, I proceed to pass the following;

ORDER

The suit of the plaintiff is hereby decreed with no costs.

It is declared that the name of plaintiff is Shweta Koppad in the records of the plaintiff.

Further, the defendants is directed to enter the the in the records.

The defendants is hereby directed to incorporate the name as above in the records of the plaintiff and shall collect requisite fee to incorporate in the records.

**By considering the above facts and
circumstances of the case, no order as to costs.**

Draw decree accordingly.

*(Dictated to the Stenographer directly on the computer and typed by her and
corrected by me and then pronounced in the open Court on this 3rd August 2026*)*

(Lakshmibai Basanagoud Patil)

**II Addl. Civil Judge & JMFC.,
Belagavi.**

ANNEXURES

List of witnesses examined for the plaintiff/s :-

P.W.1: Shweta D/o. Suresh Koppad

List of documents marked for the plaintiff/s :-

Ex.P.1 and 2	:	Aadhar card and pan card
Ex.P.3 to 6	:	Progress card
Ex.P.7	:	PUC marks card
Ex.P.8	:	SSLC marks card

List of witnesses examined for the Defendant/s :-

-Nil-

List of documents marked for the Defendant/s:-

-Nil-

**II Addl. Civil Judge & JMFC.,
Belagavi.**