



**IN THE COURT OF CIVIL JUDGE & J.M.F.C.,
AT: HUKKERI**

Present: ADITYA R. KALAL B.A.L, LL.B, LL.M.,(Symbiosis)
Civil Judge & J.M.F.C., Hukkeri

Crl. Misc. No.210/2026

Dated this the 7th day of July 2026

PETITIONER:

Siddappa Laxman Harijan,
Age : 45 years, Occ : Agriculture,
R/o Shirahatti Village, Tq: Hukkeri, Dist: Belagavi.

(Represented by Shri. M.M.Ghasti, Advocate)

-V/s-

RESPONDENT:

The Tahasildar, Hukkeri
Tq: Hukkeri, Dist: Belagavi.

(Placed Exparte)

ORDERS

This petition is filed by the petitioner U/Sec.13(3) of The
Registration of Births and Deaths Act, 1969.

**BRIEF FACTS :**

2. The son of petitioner by name Vinay Siddappa Kattimani was born on 20.09.2012 at Hidakal Dam village, Tq:Hukkeri, Dist: Belagavi. After the birth of the son of petitioner, petitioner intimated to the respondent orally, but the respondent had not registered the same. Now, the petitioner is in requirement of his son's birth certificate from the competent authority, as such he had filed an application before the respondent and the respondent office has issued non-availability certificate on 24.04.2026 as the date of birth of Vinay Siddappa Kattimani was not entered. Hence, the petitioner has filed this petition to enter his date of birth in the respondent's office.

3. In spite of service of notice, respondent has not appeared before the Court and has not contested the case. Hence, he was placed ex-parte and treated as absent.

4. Heard arguments of the learned counsel for the petitioner and perused the materials available on record.

5. The following points arises for the consideration of this Court:

**POINTS**

1. Whether the petitioner has made out sufficient grounds to allow this petition ?
2. What order ?

6. This Court answers the above points as hereunder :

POINT No.1: In the Affirmative

POINT No.2: As per final order

for the following:

REASONS

7. **POINT No.1:** That the petitioner and his son by name Vinay Siddappa Kattimani are the permanent residents of Hidakal Dam village, Tq: Hukkeri, Dist: Belagavi and that the son of petitioner Vinay was born on 20.09.2012. But, the said fact is not registered in the respondent's office due to the ignorance of the petitioner. During the enquiry, the petitioner has got examined himself as P.W.1 and has got marked 3 documents as Ex.P1 to Ex.P3. Among them, Ex.P1 is the non-availability certificate issued by the Tahasildar, Hukkeri which discloses that the date of birth of the petitioner is not registered in the register maintained by the respondent. Ex.P2 is the school transfer certificate issued by the Oxford Convent School, Mudhol and in the TC, it shows the



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date of birth of son of petitioner as 20.09.2012 and his father's name as Siddappa and mother's name as Geetha, Ex.P-3 is the Aadhar card of petitioner. Further, in spite of the service of notice to the respondent, he did not appear before the Court. The evidence of the petitioner is not challenged by the respondent. The oral evidence of the petitioner is corroborated by the documentary evidence. The date of the birth of petitioner's son is corroborated by the date in the Non-Availability certificate.

8. The object of the Registration of Births and Deaths Act, 1969 is to give legal status to the registration of births and deaths by judicial machinery. A legal duty is cast upon the persons specified in Section-8 to give information to the Registrar of Births and Deaths. Section-13 lays down the procedure for delayed registration of births and deaths. In case of non-registration within one year of the occurrence of birth or death, the registration could take place under Section 13(3) only on an order made by the Magistrate after verifying the correctness of the birth or death. Rule 9(3) of the Karnataka Registration of Births and Deaths Rules, 1999 states that any birth or death which has not been registered within one year of its occurrence, shall be registered



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only on an order of a Magistrate of the First Class or a Presidency Magistrate under Section 13(3) and on payment of a late fee of rupees ten.

9. On the basis of the enquiry which is conducted before the Court, the petitioner has sworn on oath and has stated that birth of his son has not been registered and that his son was born at Hidakal Dam village, Tq: Hukkeri, Dist: Belagavi within the jurisdiction of this Court. The said evidence has remained uncontroverted. Hence, there is no reason to disbelieve the evidence of the petitioner and therefore, I am of the considered opinion that, the petitioner has made out grounds to allow this petition and accordingly, ***this Court answers point No.1 in the Affirmative.***

10. POINT No.2: In the result, this Court proceeds to pass the following:

O R D E R

The petition filed by the petitioner U/Sec.13(3) of The Registration of Births and Deaths Act, 1969, is hereby allowed.



The respondent is hereby directed to enter the date of birth of Vinay Siddappa Kattimani (ವಿನಯ ಸಿದ್ಧಪ್ಪ ಕಟ್ಟಿಮನಿ), S/o Siddappa Laxman Harijan that he was born at Hidakal Dam village, Tq:Hukkeri, Dist: Belagavi on 20.09.2012, in the Register after collecting late fee and issue birth certificate, accordingly.

It is needless to state that the said entry does not tantamount to conclusive evidence of the disputed date of birth.

(Dictated to the Stenographer, directly on the computer, typed by her, corrected by me and then pronounced in the Open Court on this the 7th day of July, 2026)

(Aditya R. Kalal)
Civil Judge & JMFC., Hukkeri

**ANNEXURE****List of witnesses examined on behalf of petitioners:**

P.W.1 : Siddappa Laxma Harijan

List of documents exhibited on behalf of petitioners:

Ex.P-1 : Non Availability Certificate

Ex.P-2 : School Transfer certificate

Ex.P-3 : Attested Copy of Aadhar card

List of witnesses examined on behalf of respondent:

NIL

List of documents exhibited on behalf of respondent:

NIL

(Aditya R. Kalal)
Civil Judge & JMFC., Hukkeri

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(Order pronounced in open court, vide separate order)

ORDER

**Civil Judge and JMFC.,
Hukkeri.**