



**IN THE COURT OF CIVIL JUDGE AND JMFC,
KITTUR**

:: PRESENT ::

SRI. MAHAMMADALI NAYAK,

B.B.A., LL.B.(Hons.)

Civil Judge & JMFC, Kittur

CRIMINAL CASE No.138/2025

DATED THIS THE 09th DAY OF JUNE, 2026

PETITIONER :

Veeresh S/o Dundappa Toragal,
Age: 23 years, Occ: Student,
R/o. Ambaliavar Oni, Margankoppa,
Ch. Kittur, Tq: Ch. Kittur,
Dist: Belagavi.

(By Sri. M.H.N., Advocate)

-: Versus :-

RESPONDENT :

1. The Tahasildar,
Ch. Kittur,
Registrar of Birth and Death,
Ch. Kittur.

(By APP)

* * *

**ORDER ON APPLICATION FILED UNDER SECTION 13(1) (2) OF
REGISTRATION OF BIRTHS AND DEATHS ACT, 1969**

This is a petition filed by the petitioner against the respondent under Section 13(1) (2) of Registration of Births and Deaths Act, 1969, for directing the respondent for registering petitioner's date of birth by name Veeresh Toragal, father by name Dundappa Toragal and mother by name Smt. Asha and date of birth as 21.07.2003 and place of birth as Margankoppa village, Tq: Ch. Kittur, Dist: Belagavi in the register of Births and Deaths maintained in the office of the respondent.

2. The brief facts of the case of the petitioner is as follows:

On 21.07.2003, petitioner's mother gave birth to a male child at her residence situated at Margankoppa village and his family members have not informed the respondent to register the date of birth of a child. Accordingly, the petitioner assumed that his parents had given information to the respondent to enter his birth particulars in the register.

3. Recently, the petitioner applied for his birth certificate before the respondent. The respondent searched and informed that the petitioner birth particulars are not entered in the Birth Register and accordingly, original endorsement dated 06.10.2025. The petitioner submits that the birth certificate is very much necessary to get government facilities. Hence,

petitioner approached this Hon'ble Court praying for issuing direction to the respondent to enter the details of his birth name as Veeresh Toragal, father name as Dundappa Toragal and mother name as Smt. Asha and date of birth as 21.07.2003 and place of birth as Margankoppa village, Tq: Ch. Kittur, Dist: Belagavi in the birth register kept by the respondent.

3. After institution of the petition, the notice was issued to the respondent. The same was served personally. The learned APP has filed memo of appearance for respondent. Further, the learned APP has filed objections and denied the petition averments and contended that no proper documents are produced and no cogent reasons are assigned to grant the relief. Hence, prays to dismiss the petition.

4. In support of the petition, the petitioner got examined himself as PW-1 by way of affidavit filed by him in lieu of his oral examination-in-chief got marked 03 documents as per Ex.P.1 to Ex.P.3. The Ex.P.1 is non-availability certificate, Ex.P.2 is the notarized copy of aadhar card of petitioner, Ex.P.3 is the notarized copy of school certificate of petitioner. PW-1 is cross-examined by the ld. APP.

5. Heard the arguments and perused the records.

6. The points that arise for my consideration are that:

1. **Whether the petitioner has made out grounds for issuing direction to the respondent to enter his name in birth certificate as Veeresh Toragal, father name as Dundappa Toragal and mother name as Smt. Asha and date of birth as 21.07.2003 and place of birth as Margankoppa village, Tq: Ch. Kittur, Dist: Belagavi in the Register of Births maintained in the office of the respondent?**

2. **What Order ?**

7. My findings to the above points are as under:

Point No.1:- In the Affirmative.

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

:: R E A S O N S ::

8. **Point No.1:-** The petitioner is the permanent resident of Ambaliavar Oni, Margankoppa, Ch. Kittur, Tq: Ch. Kittur, Dist: Belagavi and also on perusal of the material on record, it appears that the petitioner was born on 21.07.2003 at his parent's house situated at Margankoppa village.

10. The petitioner in support of the petition submitted the documents which are marked as Ex.P.1 to Ex.P.3. On perusal of the same, it appears that, the petitioner was born on 21.07.2003. Hence, it also appears that, as the birth of the petitioner is not intimated to the respondent and the details of the birth of petitioner is not available with the respondent. But as the petitioner is in need of a birth certificate to get government facilities, it is necessary to issue direction to the respondent to enter the name and date of birth of the petitioner as mentioned in the petition, in the birth certificate. Hence, **Point No.1 is answered in the Affirmative.**

11. **Point No.2:-** In view of my finding on the above point, I proceed to pass the following;

:: O R D E R ::

The present petition filed under Section 13(3) of the Registration of Births and Deaths Act is hereby allowed and consequently, the respondent is directed to enter the name of the petitioner as Veeresh Toragal, father name as Dundappa Toragal and mother name as Smt. Asha and date of birth as 21.07.2003 and place of birth as Margankoppa village, Tq: Ch. Kittur, Dist: Belagavi in the register of birth after collecting requisite fee in this regard.

The respondent is also directed to mention in the birth certificate that the same is issued in pursuance of this order.

The petitioner is at liberty to approach the competent court of law for rectification of name of his/her mother or father.

It is made clear that, if any dispute arises in connection with the date of birth or place of birth or name of the parties, it will be subject to the decision of the competent Civil Court.

No order as to costs.

(Dictated to the Stenographer Grade-III directly on the computer, typed by her, corrected and then pronounced by me in open Court, this the **09th day of June, 2026**)

**(MAHAMMADALI NAYAK)
CIVIL JUDGE AND JMFC,
KITUR.**

:: A N N E X U R E ::

List of witnesses examined on behalf of the petitioner:

PW-1 : Veeresh S/o Dundappa Toragal

List of witnesses examined on behalf of the respondent:

-: Nil :-

List of exhibits marked on behalf of the petitioner:

- Ex.P.1 : Non-availability certificate
Ex.P.2 : Notarized copy of aadhar card of petitioner
Ex.P.3 : Notarized copy of school certificate of petitioner

List of exhibits marked on behalf of the respondent :

- Nil -

(MAHAMMADALI NAYAK)
CIVIL JUDGE AND JMFC,
KITTUR.