

KABI600010772026



IN THE COURT OF CIVIL JUDGE AND JUDICIAL MAGISTRATE
FIRST CLASS, AT SANDUR

:: P R E S E N T ::

Sri. MD. SHAIZ CHOUTHAI,

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

Civil Judge & JMFC, Sandur.

Dated: 2nd Day of July - 2026

Criminal Misc. No. 528/2026

Petitioner/s:

Sannayya S/o Sanna Goudappa,
Aged about 50 years,
R/o D. Mallapura Village,
Sandur Taluk, Ballari District.

(By Sri. H.K.B., Advocate)

- Vs -

Respondent/s:

The Tahasildar - Cum –
Registrar of Birth and Deaths,
Taluk Office, Sandur,
Sandur Taluk, Ballari District.

(Exparte)

ORDERS

The petitioner has filed this petition U/s.13(3) of Karnataka Registration of Births and Deaths Act, 1969 to direct the respondent to issue Birth certificate of his daughter.

2. Brief facts of petitioner's case are that :-

The petition filed by the Petitioner U/s.13(3) of Karnataka Registration of Births and Deaths Act, 1969, praying to direct the Respondent to register the birth date of his daughter S.Maala D/o Sannayya as 01.06.2008, at D. Mallapura village, Sandur Taluk, Ballari District, in the register maintained by the Respondent. Because of lack of knowledge, they have not entered birth date of his daughter with respective Authorities. He required the Birth Certificate for the purpose of education. When he had approached respondent for issuance of Birth Certificate of his daughter, they issued an endorsement stating that, since no report has been made regarding birth date of petitioner's daughter, there was no entry found in their Birth Register and hence they are unable to issue the Birth Certificate. Hence, this petition.

3. After service of summons, respondent remains absent.
Hence, placed *exparte*.

4. The petitioner got examined himself as PW1 and also sworn an affidavit and relied on 3 documents, which are marked as Ex.P1 to Ex.P3.

5. Heard learned counsel for petitioner.

6. Now, the points that arises for my consideration are:-

1. Whether the petitioner has made out grounds for issuance of direction to the respondent to make an entry in the Birth and Death register of the respondent's office with regard to date of birth of his daughter, as 01.06.2008?

2. What order?

7. My answer to the above points are as under:-

POINT No.1 : In the Affirmative

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

REASONS

8. **POINT NO.1:-** In order to prove the above point, the petitioner relies on his oral as well as documentary evidence which

were marked as Ex.P1 to Ex.P3. Ex.P.1 is the Non-Availability Certificate, Ex.P.2 is the School certificate of petitioner's daughter and Ex.P.3 is the Attested copy of Transfer certificate of petitioner's daughter. Ex.P.2 is the School certificate and Ex.P3 is the Attested copy of Transfer certificate of petitioner's daughter which discloses that the date of birth of his daughter is 01.06.2008. The respondent has not discredited the statement of petitioner given on oath with regard to birth date of his daughter. Anyhow, no contrary evidence is placed to disbelieve the versions of PW.1, hence evidence of PW.1 remains unchallenged. Further nothing holds from disbelieving the version of PW.1. From both oral and documentary evidence, the petitioner has clearly established that, his daughter was born on 01.06.2008. Hence, Point No.1 is answered in **Affirmative**.

9. **POINT NO.2:-** Reasons assigned to Point No.1 resulted in following:-

: O R D E R :

The petition is hereby allowed.

The respondent is directed to make entry with respect to the date of birth of petitioner's daughter -

S.Maala D/o Sannayya as 01.06.2008, at D. Mallapura village, Sandur Taluk, Ballari District, in the concerned register and issue the birth certificate to the petitioner after collecting necessary fee.

(Dictated to the stenographer, computerized by him, corrected by me and then pronounced in the open Court, on this the 2nd day of July, 2026)

(MD. SHAIZ CHOUTHAI),
Civil judge & JMFC, Sandur.

:: ANNEXURES ::

1. List of witness examined for Petitioner/s:

PW-1 : Sannayya S/o Sanna Goudappa

2. List of documents exhibited for Petitioner/s:

Ex.P.1 : Non availability certificate.
Ex.P.2 : School certificate of petitioner's daughter
Ex.P.3 : Attested copy of Transfer certificate of petitioner's daughter

3. List of witness examined for Respondent/s:

-Nil-

4. List of documents exhibited for Respondent/s:

-Nil-

(MD. SHAIZ CHOUTHAI),
Civil Judge & JMFC, Sandur.