

KABI600002342026



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 June - 2026

Criminal Misc. No.85/2026

Petitioner/s:

Eramma. B W/o Dodda Chittappa,
Aged about 31 years,
R/o K. Gollarahatti Village,
Bandri Post,
Sandur Taluk, Ballari District.

(By Sri. N.M.N.S., 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 her son.

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 her son Jeevan. B S/o Dodda Chittappa as 29.08.2022, at K. Gollarahatti village, Sandur Taluk, Ballari District, in the register maintained by the Respondent. Because of lack of knowledge, they have not entered birth date of her son with respective Authorities. She required the Birth Certificate for the purpose of education. When she had approached respondent for issuance of Birth Certificate of her son, they issued an endorsement stating that, since no report has been made regarding birth date of petitioner's son, 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 herself 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 her son, as 29.08.2022?

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 her oral as well as documentary evidence which were marked as Ex.P1 to Ex.P3. Ex.P1 is the Non-Availability Certificate, Ex.P2 is the Attested copy of Aadhar card of petitioner and Ex.P3 is the School certificate of petitioner's son. Ex.P3 is the School certificate of petitioner's son which discloses that the date of birth of her son is 29.08.2022. The respondent has not discredited the statement of petitioner given on oath with regard to birth date of her son. Anyhow, no contrary evidence is placed to disbelieve the versions of PW1, hence evidence of PW1 remains unchallenged. Further nothing holds from disbelieving the version of PW1. From both oral and documentary evidence, the petitioner has clearly established that, her son was born on 29.08.2022. 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 son - Jeevan. B S/o Dodda Chittappa as 29.08.2022, at K. Gollarahatti 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 June, 2026)

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

:: A N N E X U R E S ::**1. List of witness examined for Petitioner/s:**

PW1 : Eramma. B W/o Dodda Chittappa

2. List of documents exhibited for Petitioner/s:

Ex.P1 : Non availability certificate.

Ex.P2 : Attested copy of aadhaar card of petitioner.

Ex.P3 : School certificate of petitioner's son.

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.