



**IN THE COURT OF THE ADDITIONAL. CIVIL JUDGE AND
J.M.F.C AT GOWRIBIDANUR**

Dated this 23rd day of June 2026

:: PRESENT ::

SMT. PUSHPA.D

B.Com, L.L.B

**Addl. Civil Judge & J.M.F.C,
Gowribidanur**

Crl.Misc.No.54/2026

PETITIONER:

Sri. Gangadharaiah.K.h.,
S/o Hanumantharayappa,
Aged about 38 years,
Residing at #N.C.Nagaiahreddy Badavane
Gowribidanur Town,
Chikkaballapur District.

(Represented by Sri. S. M. Advocate)

// Versus //

RESPONDENT:

The Commissioner,
CMC Gowribidanur ,
Registrar of Birth and Death
At Gowribidanur City
Chikkaballapur District.

(EXPARTE)

ORDER

The petitioner namely "Sri.Gangadharaiah K.H. S/o. Hanumantharayappa " who is said to born on 01.02.1988 has filed this petition U/s.13(3) of Registration of Births

KACB400007432026



and Deaths Act 1969 seeking direction of this Court to the respondent to register his birth in the birth register and to issue birth certificate to that effect in the interest of justice.

The petitioner's case in compendious:

2. The petitioner namely "Sri.Gangadharaiah K.H. S/o. Hanumantharayappa" was born on 01.02.1988 at NagaiahreddyBadavane, Gowribidanur Town,Chikkballapur District and he and his parents being not aware of the registration of birth approached the respondent seeking issuance of his birth certificate, but he was issued with an endorsement stating that his birth is not registered in the birth register and thereby he being aggrieved has knocked the doors of this Court by filing of this petition.

3. In spite of due receipt of notice of the present petition, the respondent did not appear before the Court and as such he was placed ex-parte.

4. In order to prove his case, petitioner himself was examined as PW1 and Exs.P1 to 3 documents are got marked.

5. Heard arguments advance by the learned counsel for the petitioner. Having heard arguments and having given

KACB400007432026



meticulous consideration to the documents on record, the following points would arise for determination of this Court.

POINTS

1. Whether the petitioner proves that he born on 01.02.1988 at Nagaiahreddy Badavane Gowribidanur Town, Chikkaballapur District ?

2. Whether the petitioner is entitled for the relief as sought for?

3. What order ?

6. Having regard to the entire materials on record, this Court answered point Nos.1 and 2 in the Affirmative and Point No.3 as per final order for the following:

REASONS

7. **Point Nos.1 & 2:** Since these points are interconnected with each other they are taken up together for determination to avoid repetition of facts and circumstances of the petition. The petitioner being aggrieved by the issuance of Non-availability certificate of his birth has filed

KACB400007432026



this petition seeking direction against the respondent to register his birth and to issue certificate of birth.

8. PW1 who is the petitioner herein by reiterating the contents of petition has deposed that he was born on 01.02.1988 and the respondent has issued Non-availability certificate as to issuance of birth certificate which is marked at Ex.P1 and as such he requested statutory direction from this Court to the respondent to enter his date of birth and to issue certificate of birth.

9. The petitioner has produced attested copy of true copy of Aadhaar card of the petitioner. which is marked at Ex.P2 and Ex.P3 is the is attested copy employees provident fund organization of Petitioner.

10. Exs.P1 to 3 being material documents in nature clearly corroborates with oral testimony of PW1 and he clearly point out towards the answer given by the respondent and also date of birth of the petitioner. The

KACB400007432026



Ex.P3 clearly demonstrate that petitioner was born on 01.02.1988.

11. The documents on record which clearly corroborate with oral testimony of PW1 and as such both oral and documentary testimony prove the grievance of the petitioner as to the requirement of registration of his birth as he was born on 01.02.1988. Sec.13(3) of Registration of Births and Deaths Act authorizes this Court to pass an order on an application after verification of the correctness of the birth. Hence this Court inclines to shown indulgence to the petitioner as sought for. Hence this Court answer Point Nos.1 and 2 in the **Affirmative**.

12. **Point No.3** : In view of discussion made on point Nos.1 & 2, this Court proceeds to pass the following:

KACB400007432026

**ORDER**

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

The respondent is hereby directed to register the birth of petitioner namely "Sri.Gangadharaiah K.H. S/o. Hanumantharayappa " as he was born on 01.02.1988 at Nagaiahreddy Badavane Gowribidanur Town,Chikkaballapur District and to issue birth certificate to that effect after collecting fee/charges if any.

(Dictated to the Stenographer, directly to the Computer and corrected and pronounced by me in the open court on this the 23rd day June 2026)

SD/-
(PUSHPA D.)
Addl. Civil Judge & J.M.F.C
Gowribidanur

ANNEXURE

List of witnesses examined on behalf of the petitioner:

P.W.1 : Sri.Gangadharaiah K.H.

KACB400007432026

**List of documents marked on behalf of the petitioner:**

- Ex.P1 : Non-availability certificate
- Ex.P2 : Attested copy of Aadhar card of petitioner
- Ex.P3 : Attested Employees provident fund
organization

List of witnesses examined on behalf of the respondent:

-NIL-

List of documents marked on behalf of the respondent:

-NIL-

Sd/-
(PUSHPA D.)
Addl. Civil Judge & J.M.F.C
Gowribidanur