



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

Dated this 03rd day of June 2026

:: PRESENT ::

SRI. GANESHA.N

M.A., L.L.B.,

**C/C Civil Judge & J.M.F.C,
Gudibande**

Crl.Misc.No.52/2026

PETITIONER:

Kumari Deekshitha N
D/o Late Nagaraj,
Aged about 17 years
since minor represented by her
mother/natural guardian
Smt.Radhika
W/o Late Nagaraj
Aged about 43 years
R/at.#992, C Block, Nayakara colony,
Gudibande town

(Rep. by Sri.N.N., Advocate)

// Versus //

RESPONDENT:

The chief Officer/
The Registrar of Births and Deaths,
Pattana panchayath,
Gudibande

(ABSENT)



ORDER

The petitioner namely Kumari Deekshitha N. who is said to born on 11/03/2008 has filed this petition U/s.13(3) of Registration of Births and Deaths Act 1969 seeking direction of this Court to the respondent to register her 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 Kumari Deekshitha N. D/o Late Nagaraj was born on 11/03/2008 at Gudibande town. Chikkaballapur district. The petitioner and her parents being not aware of the registration of birth approached the respondent seeking issuance of her birth certificate, but he was issued with an endorsement stating that her birth is not registered in the birth register and thereby she being aggrieved has knocked the doors of this Court by filing of this petition.

3. Inspite of due receipt of notice of the present petition, the respondent did not appear before the Court.



4. In order to prove her case, the natural guardian/ her mother was examined as PW1 and Exs.P1 to 4 documents are got marked.

5. Heard arguments advance by the learned counsel for the petitioner. Having heard arguments and having given meticulous consideration to the documents on record, the following points would arise for determination of this Court.

1. Whether the petitioner proves that she born on on 11/03/2008 at Gudibande town, Chikkaballapur district?

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

3. What order or decree?

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 inter-connected 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 her birth has filed this petition seeking direction against the respondent to register her birth and to issue certificate of birth.

8. PW1 who is the mother of the petitioner herein by reiterating the contents of petition has deposed that her daughter was born on 11/03/2008 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 her daughter's date of birth and to issue certificate of birth.

9. PW-1 has produced attested copies of Aadhaar cards marked at Ex.P2 and 3 and Ex.P4 is the SSLC marks card.

10. Ex.P1 being material document in nature clearly corroborates with oral testimony of PW1 and she clearly point out towards the answer given by the respondent and also date of birth of the petitioner. Ex.P4 clearly demonstrate that petitioner was born on 11/03/2008.

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 her birth as she was born on 11/03/2008. 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:

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 Kumari Deekshitha N. D/o Late Nagaraj & Smt.Radhika as she was born on 11/03/2008 at Gudibande town 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 3rd day of June 2026)*

(GANESHA.N)
C/C Civil Judge and J.M.F.C,
Gudibande

ANNEXURE

List of witnesses examined on behalf of the petitioner:

P.W.1 : Smt.Radhika

List of documents marked on behalf of the petitioner:

Ex.P1 : Non-availability certificate

Ex.P2 & 3 : Attested copy of Aadhaar Cards

Ex.P4 : SSLC marks card

**List of witnesses examined on behalf of the
respondent:**

-NIL-

List of documents marked on behalf of the respondent:

-NIL-

(GANESHA.N)
C/C. Civil Judge and J.M.F.C,



Gudibande

Operative portion of the order

ORDER

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town and to issue birth certificate to that effect after collecting fee/charges if any.

(GANESHA.N)
C/C Civil Judge and J.M.F.C,
Gudibande