

KACB600024062026



IN THE COURT OF THE PRL.CIVIL JUDGE AND JMFC.,
AT: SHIDLAGHATTA.

Dated this the 16th day of April, 2026.

Present: Smt.Sukanya C.S., B.A, LLB.,
Prl.Civil Judge and JMFC.,
Shidlaghatta.

Crl.Mis.No. 155/2026

Petitioner: Smt. Manjula
W/o. Late J.N.Srinivas
Aged about 38 years,
R/at 1st Block, High School Road,
Jangamakote Village & Hobli,
Sidlaghatta Taluk,
Chickballapura District.

(Represented by Sri. S.N.C., Advocate)

V/s

Respondent: The Tahasildar,
Talluk Office,
Shidlaghatta.

(Placed Exparte)

ORDER ON APPLICATION UNDER 13(1) OF THE
REGISTRATION OF BIRTH AND DEATHS ACT.

This petition is filed by the petitioner under section 13(1) of registration of birth and death Act 1969, seeking a direction to the respondent to register the date

of birth of son of petitioner. The son of petitioner by name J.S.Harsha Vardhan S/o Late. J.N.Srinivas, was born on 05.09.2010 at Jangamakote Village, Jangamakote Hobli, Sidlaghatta Taluk, Chickballapur District. It is further stated that, at the time of birth of petitioner's son, his parents informed the date of birth before respondents office. The birth certificate of the petitioner is required to produce before school authorities. When petitioner made an application before respondent to obtain birth certificate, the respondent verified the concern birth and death register and issued a non-availability certificate on 23.03.2026 stating that there is no entry regarding the birth of son of petitioner. Wherefore, she prays for to issue directions to the respondent.

2. In spite of service of notice, the respondent remained absent, hence the respondent has been placed *ex parte*.

3. The petitioner has examined herself as PW-1, got exhibits Ex.P1 to Ex.P4 marked, and closed her evidence.

4. Heard learned counsel for the petitioner and perused the materials placed on record. The points that arise for consideration are as hereunder:

POINTS

1. Whether it is necessary to issue direction to the respondent to register the date of birth of son of petitioner J.S.Harsha Vardhan S/o Late. J.N.Srinivas, who born on 05.09.2010?

2. What order?

5. The findings on the above points are as hereunder:

Point No.1 : In the Affirmative

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

REASONS

6. **Point No.1:** The petition is filed by the petitioner under section 13(1) of registration of birth and death Act 1969, seeking a direction to the respondent to register the date of birth of son of petitioner. The petitioner's son was born on 05.09.2010 at Jangamakote Village, Jangamakote Hobli, Sidlaghatta Taluk, Chickballapur District.

7. The petitioner examined herself as PW-1, wherein she has reiterated the petition averments and got marked 04 documents as Ex.P1 to Ex.P4. Ex.P1 is the non-availability certificate issued by the respondent to the petitioner. Ex.P2 and Ex.P3 are the notarized

copies of aadhar cards. The petitioner has produced notarized copy of school admission extract at Ex.P4 issued by the Headmaster of Sri. Siddhalingeswara Higher School Tumakur on 11.03.2026. This certificate shows that the petitioner's son studied 6th standard. It is also record the petitioner's son date of birth as 05.09.2010.

8. Respondent in spite of service of notice has not been appeared before the court and respondent has been placed exparte. The evidence of PW-1 and Ex.P1 to Ex.P4 documents remained unchallenged and in such circumstances, there is no reason to disbelieve the version of PW-1. It is settled principle of law is that an entry in the Register of birth is not conclusive evidence of the disputed date of birth. The order of this court binds only the Registrar and not others. The entry made by the respondent, pursuant to an order of this court, cannot higher probative value. Therefore, there is nothing to disbelieve the case of the petitioner. Under these circumstances if a direction issued under section 13(1) birth and death Act to make necessary entries in the birth register there will cause no prejudice to the respondent. In view of the non contesting of the petition by the respondent this court has no option except to accept the plea of the petitioner. Hence, I answer **Point No.1 in the Affirmative.**

9. **Point No.2:** In view of my findings to point No.1 I proceed to following:-

ORDER

The petition filed by the petitioner under Section 13(1) of Registration of Births and Deaths Act 1969 is hereby allowed.

Consequently, the respondent is hereby directed to enter the date of birth of the son of petitioner by name **J.S.Harsha Vardhan S/o Late. J.N.Srinivas, who born on 05.09.2010** in the concerned Birth Register and issue the certified copy of the same to the petitioner.

(Dictated to Stenographer directly on computer by her, the same is corrected and pronounced by me in the open court on this the 16th day of April, 2026)

Sd/-
(**Smt.Sukanya C.S**)
Prl. Civil Judge & JMFC.,
Shidlaghatta.

ANNEXURE

List of witnesses examined on behalf the petitioner/s:

PW-1 : Smt. Manjula

List of documents marked on behalf the petitioner/s:

- Ex.P1 : Non-available certificate.
- Ex.P2 & 3 : Notarized copis of Adhar Cards.
- Ex.P 4 : Norarized copy of school admission
extract.

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

- - - Nil - - -

List of documents marked on behalf the respondent/s:

- - - Nil - - -

Sd/-
(Smt.Sukanya.C.S.)
Prl .Civil Judge & JMFC.
Shidlaghatta

**Order pronounced in open court
(Vide separate sheet)**

ORDER

The petition filed by the petitioner under Section 13(1) of Registration of Births and Deaths Act 1969 is hereby allowed.

Consequently, the respondent is hereby directed to enter the date of birth of the son of petitioner by name **J.S.Harsha Vardhan S/o Late. J.N.Srinivas, who born on 05.09.2010** in the concerned Birth Register and issue the certified copy of the same to the petitioner.

**16.04.2026.
Prl. Civil Judge and JMFC,
Shidlaghatta.**