

KACB600025832025



**IN THE COURT OF THE PRINCIPAL CIVIL JUDGE AND
JMFC., AT SHIDLAGHATTA.**

Dated this the 05th day of September – 2026

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

CrI.Mis.No. 499/2026

Petitioner/s: **1.** Sri. Krishnamurthy D.N.
 S/o D. Narayanaswamy,
 Aged about 36 years,
 R/at Devaganahalli Village,
 Jangamkote Hobli,
 Sidlaghatta Taluk,
 Chikkaballapura District.

(Represented by Sri.Srinatha N., Adv...)

V/s

Respondent/s: The Tahasildar,
 Talluk Office,
 Shidlaghatta.

(.....Exparte)

**ORDER ON APPLICATION UNDER 13(3) OF THE
REGISTRATION OF BIRTH AND DEATHS ACT.**

This petition is filed by the petitioner under section 13(3) of registration of birth and death Act 1969, seeking a direction to the respondent to register the date of birth of daughter of petitioner by name Kum. Nandushree D.K. D/o Krishnamurthy D.N. M/o Kavitha K.S. As she was

born on 07.05.2012 at Devaganahalli Village, Jangamkote Hobli, Sidlaghatta Taluk. It is stated that, recently the petitioner made an application before Thasildhar to obtain birth certificate of daughter of petitioner for the purpose of his daughter education. The respondent verified the concern birth and death register and issued a non availability certificate on 19.08.2026 stating that there is no entry regarding the birth of the daughter of petitioner. Wherefore he 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 himself as PW-1, got Ex.P1 and Ex.P5 marked and closed his 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 daughter of petitioner by name Kum. Nandushree D.K. D/o Krishnamurthy D.N. M/o Kavitha K.S. born on 07.05.2012?

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(3) of registration of birth and death Act 1969, seeking a direction to the respondent to register the date of birth of daughter of petitioner. As she was born on 07.05.2012 at Devaganahalli Village, Jangamkote Hobli, Sidlaghatta Taluk.

7. The petitioner examined himself as PW-1, wherein he has reiterated the petition averments and got marked 05 documents as Ex.P1 and Ex.P5. Ex.P1 is the non-availability certificate issued by the respondent to the petitioner. Ex.P2 to 4 are the notarized copies of Adhar Cards. Ex.P5 is the study certificate dated: 19.08.2026 got issued by Head Master of Navodaya Vidhyalaya Residential School Nadipinayakanahalli, Nagamangala Post, it is also record the daughter of petitioner date of birth as 07.05.2012.

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

and Ex.P5 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 have higher probative value. Under these circumstances if a direction issued under section 13(3) 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(3) 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 daughter of petitioner by name **Kum. Nandushree D.K. D/o Krishnamurthy D.N. M/o Kavitha K.S.**

born on 07.05.2012 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 05th day of September - 2026)

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

ANNEXURE

LIST OF WITNESSES EXAMINED ON BEHALF THE PETITIONER:

PW-1 : Sri. Krishnamurthy D.N.

LIST OF DOCUMENTS MARKED ON BEHALF THE PETITIONER:

Ex.P1 : Non-availability Certificate.
Ex.P2-4 : Notarized copy of Adhar Cards.
Ex.P5 : Study Certificate.

LIST OF WITNESSES EXAMINED ON BEHALF THE RESPONDENT:

- - - Nil - - -

LIST OF DOCUMENTS MARKED ON BEHALF THE RESPONDENT:

- - - Nil - - -

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

Orders pronounced in the open court
(vide separate)

ORDER

The petition filed by the petitioner under Section 13(3) 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 daughter of petitioner by name **Kum. Nandushree D.K. D/o Krishnamurthy D.N. M/o Kavitha K.S. born on 07.05.2012** in the concerned Birth Register and issue the certified copy of the same to the petitioner.

**Prl. Civil Judge & JMFC.,
Shidlaghatta.**