

ORDER

The Petitioner has filed this petition U/S.13(3) of Births and Deaths Registration Act 1969.

2. **The petitioner case in brief as follows :**

In the petition it is stated that, the petitioner by name **Chand Pasha S/o Abdul Razaq** was born on 08.06.1965 at Abdula Colony, Kadur town, Kadur taluk, Chickkamagaluru District. Further deposed that, due to lack of knowledge of the parents of the petitioner, his date of birth had not been entered in the registers of the Respondent authorities, but birth certificate is necessary to passport authorities.

3. Further, the petitioner filed application before the respondent requesting for issue of birth certificate of petitioner, as he was born on 08.06.1965 at Abdul colony, Kadur town, Kadur taluk, Chickkamagaluru District. But the respondent issued non availability certificate dated 11.02.2026 stating that there are no entries in the birth register regarding date of birth of the petitioner. Hence, the petitioner has approached this Court for issue of direction to the respondent to register the date of birth of his on 08.06.1965 and to issue birth certificate in favour of the petitioner.

4. The respondent has remained absent and placed ex-parte.

5. The petitioner examined as PW.1 and got marked documents as per Ex.P1 to Ex.P3. The Ex.P1 is Non-availability certificate, Ex.P2 is the Transfer certificate and Ex.P3 is the notarized copy of Aadhar Card.

6. Heard the arguments.

7. The evidence of petitioner has remained unchallenged and unrebutted without under going the test of the cross-examination. Moreover, to decide the date of birth of the person, if not available of birth certificate the petitioner, the transfer certificate or school register is well evidence. Hence, as per Ex.P2 is the school transfer certificate of the petitioner is enough to consider the birth of the petitioner. As per the Ex.P.3, the petitioner born on 08.06.1965. Hence this court is of the opinion that the petitioner has established that he was born on 08.06.1965 and entitle for the relief as sought for. Hence, based on the above reasons, the petition deserves to be allowed.

ORDER

The petition filed by the petitioner U/S.13(3) of Registration of Birth and Death Act 1969 is hereby allowed subject to liberty to challenge the contrary.

The respondent is hereby directed to make entry of the date of birth the petitioner **Chand Pasha S/o Abdul Razaq was born on 08.06.1965 at Abdula colony, Kadur town, Kadur taluk, Chickkamagaluru District** in the register of Birth and Death after taking prescribed fee.

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**Prl.Civil Judge and J.M.F.C.
Kadur.**