



IN THE COURT OF I ADDL. CIVIL JUDGE & JMFC.,
MUDIGERE

PRESENT: Smt. Suraksah K.K. B.B.M., LL.B.,
I Addl. Civil Judge & JMFC.,
Mudigere.

DATED THIS THE 12th DAY OF JUNE 2026

Crl.Misc.No.227/2026

BETWEEN :

Paramesh K.B.,
Aged about 43 years,
S/o Basavaiah,
R/o Kirugunda Village, Goonibidhu Post,
Mudigere Taluk.

....Petitioner

(By Smt. Bhagya G.N., Adv.,)

AND :

The Tahsildar,
Mudigere Taluk,
Mudigere.

....Respondent

(Absent)

ORDERS ON MAIN PETITION

This petition is filed by the petitioner under Section 13(3) of Registration of Birth and Death Act, 1969, seeking directions to the respondent authority to enter the date of birth of the petitioner's son by name Prekshith K.P. S/o Paramesh K.B. who was born on 30.05.2009 at Kirugunda Village, Goonibidhu Post, Mudigere Taluk in the concerned register maintained by its office.



2) After registration of the above petition, notice was issued to the respondent. In spite of due service of the notice, the respondent has not appeared before this Court and remains absent.

3) The points that arise for consideration by this Court are as follows:

1. Whether the petitioner has made out grounds for issuance of directions as sought in the petition?

2. What order?

4) In support of his case, the petitioner got examined himself as PW1 and got marked documents at Ex.P1 to 5 and closed his side. Since the respondent remained absent the cross examination of PW1 is taken as nil. No evidence is adduced on behalf of the respondent.

5) Heard the petitioner's counsel, and on perusal of oral and documentary evidence produced before this court. This Court answer the above points are as follows:

Point No.1 : **In the Affirmative.**

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

REASONS

6) Point No.1: In order to prove his case, the petitioner got examined himself as PW1 by filing his affidavit in lieu of examination-in-chief, wherein he has reiterated the petition



averments. He has also adduced the documentary evidence and got marked the same as Ex.P1 to P5.

7) The Petitioner has contended that his son by name Prekshith K.P. S/o Paramesh K.B. was born on 30.05.2009 at Kirugunda Village, Goonibidhu Post, Mudigere Taluk. But, due to oversight, mistake and inadvertence, his date of birth is not registered in the concerned register of the respondent authority and now the birth certificate of his son is required for the purpose of rectification of Aadhar card and education purpose. He has further contended that, when he had approached the respondent authority, they have issued a non-availability certificate stating that the date of birth of the said Prekshith K.P. S/o Paramesh K.B. is not registered. The said non-availability certificate issued by respondent is marked at Ex.P1.

8) The petitioner further got marked document at Ex.P5 is study certificate of petitioner's son. The same depicts that petitioner's son date of birth is 30.05.2009. Further, petitioner has also produced Ex.P2 to 4, which are the notarized copies of Aadhar cards of petitioner and his son and study certificate of petitioner's son. On the other hand, there is nothing on record to disbelieve the version of the petitioner.

9) In the present case the respondent has remained absent. Hence, the case of the petitioner remains unchallenged by the respondent. Further, the petitioner has established his case, on the other hand nothing is placed on record by the respondent as to disbelieve the version of the petitioner. Therefore, keeping in view



the circumstances of the case, the petition deserves to be allowed. Accordingly, this court answers point No.1 in the '**Affirmative**'.

10) Point No.2: In view of the above findings on point No.1, this court proceed to pass the following;

ORDER

The petition filed by the petitioner U/sec.13(3) of the Registration of Birth and Death Act, 1969 is hereby allowed.

The respondent is hereby directed to enter the date of Birth of the petitioner's son namely Prekshith K.P. S/o Paramesh K.B. as born on 30.05.2009 at Kirugunda Village, Goonibidhu Post, Mudigere Taluk, in the concerned register and accordingly issue birth certificate on deposit of requisite fee, if any.

(Dictated to the Stenographer, directly typed by him on computer, corrected and then pronounced by me in the open court on **12th day of JUNE 2026, at Mudigere**)

(Suraksha K.K.)
I Addl. Civil Judge & JMFC.,
Mudigere.

: A N N E X U R E :

LIST OF WITNESS EXAMINED ON BEHALF OF PETITIONER:-

PW1 : Paramesh K.B.

**LIST OF DOCUMENTS EXHIBITED ON BEHALF OF PETITIONER:-**

- Ex.P1 : Non availability certificate
Ex.P3 and 5 : Study certificates of petitioner's son
Ex.P2 and 4 : Notarized copies of Aadhaar Cards of petitioner
and her son

LIST OF WITNESS EXAMINED ON BEHALF OF RESPONDENT:-

NIL

**LIST OF DOCUMENTS EXHIBITED ON BEHALF OF
RESPONDENT:-**

NIL

(Suraksha K.K.)
I Addl. Civil Judge & JMFC.,
Mudigere.

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