



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

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

DATED THIS THE 16th DAY OF JULY 2026

Crl.Misc.No.284/2026

BETWEEN :

Anvith
Aged about 4 years,
S/o Narayana,
R/o Tanudi Village, Kalasa Taluk
Represented by his natural guardian
grand father
Manjaiah,
Aged about 61 years,
S/o Hoovaiah,
R/o Tanudi Village, Kalasa Taluk.

....Petitioner

(By Sri.B.N.Vaishakha, Adv.,)

AND :

Tahsildar,
Taluk Office,
Mudigere Taluk.

....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 by name Anvith S/o Narayana who was born on 09.11.2021 at



Mavinakere Village, Kalasa 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 entered its appearance 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 her case, the natural guardian grand father of petitioner got examined himself as PW1 and got marked documents at Ex.P1 to 4 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) Having heard the petitioner's counsel, this Court perused the petition, oral and documentary evidence so also the entire materials available on record. Now, the findings of this Court to 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 natural guardian grand father of 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 4.

7) The natural guardian grand father of petitioner/PW1 has contended that his daughter was born on 09.11.2021 at Mavinakere Village, Kalasa 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 grand son is required. 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 Anvith S/o Narayana is not registered. The said non-availability certificate issued by respondent is marked at Ex.P1.

8) The natural guardian of petitioner grand father got marked document at Ex.P2 is notarized copy of 'Thayicard', the same depicts that the wife of PW1 has gave birth to a baby on 09.11.2024. Further produced Ex.P3 and 4 are genealogy certificate and notarized copy of Aadhaar card of PW1. 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 her 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 namely Anvith S/o Narayana, as born on 09.11.2021 at Mavinakere Village, Kalasa 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 **16th day of JULY 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 : Manjaiah



LIST OF DOCUMENTS EXHIBITED ON BEHALF OF PETITIONER:-

- Ex.P1 : Non availability certificate.
Ex.P2 : Notarized copy of Tayicard
Ex.P3 : Notarized copy of genealogy certificate
Ex.P4 : Notarized copies of Aadhaar card of PW1

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.