



IN THE COURT OF CIVIL JUDGE AND JMFC, SRINGERI

**PRESENT : Sri. Jeethu R.S., B.A.L, LL.M.
Civil Judge & JMFC, SRINGERI**

DATED THIS THE 7th DAY OF MARCH, 2026

Crl. Misc. No. 12/2026

BETWEEN:

B. Rajivi : **Petitioner**
D/o Babu Acharya,
Aged about 32 years,
R/o Makkimane, Muduba,
Kerekatte, Sringeri Taluk.
(By Sri. Charan K.C. Advocate)

-AND-

The Registrar of Birth and Death, **Respondent**
Tahasildar Sringeri.
(Absent)

ORDER

The petitioner has filed the petition U/S.13(3) of Registration of Births and Deaths Act, 1969 r/w Rule 9(3) of Karnataka Registration Births and Deaths Rules 1970 for a direction to the respondent to register the date of birth of petitioner by name "**B. Rajivi D/o Babu Acharya**" was born on **04.02.1993** at Makkimane, Muduba, Kerekatte, Sringeri Taluk and Chikkamagaluru District.



2. The summary of the petition is as under:

It is the case of the petitioner that, petitioner by name **"B. Rajivi D/o Babu Acharya"** was born on **04.02.1993** at Makkimane, Muduba, Kerekatte, Sringeri Taluk and Chikkamagaluru District. After petitioner's birth, petitioner's family members intimated the concerned village authority and the said incident of birth of the petitioner to the Taluk authorities. The petitioner had approached the respondent office for issuance of Birth Certificate. But the date of birth of the petitioner was not registered in the concerned register. The petitioner came to know about this fact when she approached the respondent. Thereafter she gave an application for issuance of her birth certificate. On 27.01.2026 the respondent informed the petitioner that the certificate is not available in the records. Hence, this petition.

3. In spite of Service of notice to the respondent, the respondent has not appeared and filed any objections to the petition. Hence, placed ex-parte.

4. In support of the petition, the petitioner has been examined herself as PW-1 and she got marked 3 documents as Ex.P-1 to Ex.P3.



5. Heard the arguments.

6. The points that arise for my consideration are as under:-

Point No.1 : Whether the petitioner proves that, petitioner by name "**B. Rajivi D/o Babu Acharya**" was born on **04.02.1993** at Makkimane, Muduba, Kerekatte, Sringeri Taluk and Chikkamagaluru District ?

Point No.2 : Whether the respondent is to be directed for registering the date of birth of the Petitioner in the concerned register ?

Point No.3 : What Order?

7. My findings to the above points is as under:

Point No.1 : In the Affirmative.

Point No.2 : In the Affirmative.

Point No.3 : As per final order for the following:

REASONS

8. Point No.1 & 2: These points are inter-related to each other and hence to avoid the repetition of the facts, the Point No.1 and 2 are taken together. The petitioner herself has examined as PW-1 and has reiterated the petition averments in her evidence. She has stated that, her name is "**B. Rajivi D/o Babu Acharya**" was born on **04.02.1993** at Makkimane, Muduba, Kerekatte, Sringeri Taluk and Chikkamagaluru District



In this regard, her parents informed the same to the village authority and also taluk authority. The petitioner came to know about the fact of non-availability of her birth certificate, when she gave an application for issuance of her birth certificate and they issued Non-Availability Certificate on 27.01.2026 stating that there is no entry of petitioner's date of birth in the concerned records.

9. Petitioner in support of her oral evidence she has produced Non-Availability Certificate issued by the respondent which is marked as Ex.P-1, notarised copy of the Aadhar card of petitioner which is marked as Ex.P-2, notarised copy of Transfer Certificate of Petitioner which is marked as Ex.P-3. Hence Ex.P.3 is crystal clear that, petitioner was born on 04.02.1993. Therefore to consider the facts and circumstances of the case, it is just and necessary to direct the respondent to record birth date of the petitioner in the birth register, otherwise petitioner will be put to irreparable loss and injustice.

10. On the other hand, the respondent has not filed any objection and lead any evidence to discard the case of



petitioner. As such, there is no reasons to disbelieve the oral and documentary evidence produced by the petitioner. The evidence of the petitioner clearly shows that, petitioner was born on **04.02.1993** at Makkimane, Muduba, Kerekatte, Sringeri Taluk and Chikkamagaluru District. Accordingly, the **Points No.1 and 2** under consideration are answered in the **Affirmative.**

11. Point No.3: In view of the above discussion, I proceed to pass the following:-

ORDER

Petition U/Sec.13(3) of Karnataka Births and Deaths Registration act 1969 is allowed.

Respondent is hereby directed to enter the date of birth of petitioner by name "**B. Rajivi D/o Babu Acharya**" was born on **04.02.1993** at Makkimane, Muduba, Kerekatte, Sringeri Taluk, Chikkamagaluru District in the concerned birth Register maintained by respondent, by collecting prescribed fee.

(Dictated to the stenographer, translated and typed, corrected by me, print out taken, and then pronounced by me in the Open Court on this the 7th day of March, 2026.)

(Sri. Jeethu R.S.)
Civil Judge & JMFC, Sringeri.



ANNEXURE

1. Witnesses examined on behalf of Petitioner:

PW-1 : B. Rajivi

2. Exhibits marked on behalf of Petitioner:

Ex.P-1 : Non-availability Certificate

Ex.P-2 : Notarized copy of Aadhar Card

Ex.P-3 : Notarized copy of Transfer Certificate of
Petitioner.

3. Witness examined on behalf of Respondent:

----- NIL -----

4. Exhibits marked on behalf of Respondent:

----- NIL -----

**(Sri. Jeethu R.S.)
Civil Judge & JMFC, Sringeri.**