

IN THE COURT OF THE PRL. CIVIL JUDGE & JMFC, KOLLEGAL.

Dated 04th day of June 2026

PRESENT :

SMT. KAVYASHREE M
B.A., L.L.B.,
Prl. Civil Judge & JMFC,
Kollegal.

C.Mis.No.602/2026

PETITIONER : Woga D/o Pema Gyalpo,
Aged about 64 years,
R/o “V” Village, House No.26,
Tibetan Settlement, Dhondenling,
Odeyarapalyam, Hanur Taluk.

(By Sri. V. Nandeesh, Advocate)

Vs/-

RESPONDENT : The Commissioner,
CMC., Kollegal Town,
Kollegal Taluk,
Chamarajanagara District.
(Ex-parte)

O R D E R

The petitioner has filed this petition under Section 13(3) of Registration of Births and Deaths Act, 1969 for directing the respondent to cause the entry of the date of birth of petitioner's by name **Woga D/o Pema Gyalpo** as **01.07.1962** and issue birth certificate.

2. The petitioner has stated in his petition that, petitioner by name **Woga D/o Pema Gyalpo** was born on **01.07.1962** at **Kollegal Government Hospital, Kollegal Town, Kollegal Taluk, Chamarajanagara District** and the petitioner had intimated regarding the date of her birth to the respondent to enter the same in the register maintained by them. But due to oversight, respondent has not entered the date of birth of petitioner's in the register maintained by them. This fact has come to the knowledge of the petitioner when the respondent has issued non-availability certificate dated **06.04.2026**. He further stated that her birth certificate is required for the purpose of obtain Passport and Government Facilities. Hence, the petitioner filed this petition for issuing directions to the respondent to cause an entry of the date of birth of petitioner in the register and to issue birth certificate in the interest of justice.

3. After receipt of summons, respondent has not appeared before this court and hence, respondent has been placed Ex-parte and case was proceeded with.

4. The petitioner to prove her case, has examined herself as PW-1 and got marked the documents as Ex.P-1 to Ex.P.3.

5. Heard the arguments. Perused the records.

6. The points that arise for my determination are :

1. Whether the petitioner has made out sufficient grounds to allow the petition ?

2. What order ?

7. My answer to the above points are as under :

Point No.1... In the affirmative,
Point No.2... As per final order
for the following :

REASONS

8. **POINT No.1** : The petitioner has specifically stated that, petitioner's by name **Woga D/o Pema Gyalpo** was born on **01.07.1962** at **Kollegal Government Hospital, Kollegal Town, Kollegal Taluk, Chamarajanagara District**, and she had intimated the same to the respondent and when she approached the respondent for issuance of birth certificate of her, respondent has issued non-availability certificate. In order to establish the fact regarding the date of birth of petitioner's, petitioner has examined herself as PW-1 and got marked the documents namely non-availability certificate issued by the respondent as Ex.P-1, Adhaar card of petitioner as Ex.P-2 and Identity certificate of the petitioner as Ex.P-3. The contention of the petitioner and her evidence before the court that petitioner was born on 01.07.1962, has remained unchallenged and unimpeached. Hence, from the materials placed on record, it establishes that the petitioner contention and her evidence have remained unchallenged and undisputed. I am of the view that the petitioner cannot be made to suffer for the oversight which was caused by the respondent's authority for not entering the date of birth of petitioner's. In view of the mandatory necessity and as the petitioner has made out grounds, petitioner is entitled for the relief as prayed in the petition. Hence, I answer point No.1 in the **Affirmative**.

9. **POINT No.2** : For the reasons stated above and findings given to point No.1, I proceed to pass the following :

ORDER

The petition filed by the petitioner under Section 13(3) Of Registration of Births and Deaths Act, 1969 is hereby allowed.

The respondent is hereby directed to cause the entry of the date of birth of petitioner's by name **Woga D/o Pema Gyalpo** was born on **01.07.1962** at **Kollegal Government Hospital, Kollegal Town, Kollegal Taluk, Chamarajanagara District**, in the concerned register of birth on payment of prescribed fee and issue birth certificate to the petitioner as per prescribed rules.

(Typed to my dictation by the Stenographer directly on computer, then corrected, printout taken, signed and then pronounced by me in the open court on this the 04.06.2026.)

(Kavyashree M)

Prl. Civil Judge & JMFC,
Kollegal.

A N N E X U R E

List of witnesses examined on behalf of Petitioner :

PW.1 : Woga

List of documents marked on behalf of Petitioner :

Ex.P.1 : Non-availability certificate,

Ex.P.2 : Certified copy of Aadhar Card

Ex.P.3 : Certified copy of Identity Certificate

List of witnesses examined and documents marked on behalf of Respondent :

- N I L -

(Kavyashree M)

Prl. Civil Judge & JMFC,
Kollegal.

(Vide separate order is passed and pronounced in the open court today)

ORDER

The petition filed by the petitioner under Section 13(3) Of Registration of Births and Deaths Act, 1969 is hereby allowed.

The respondent is hereby directed to cause the entry of the date of birth of petitioner's son by name **Woga D/o Pema Gyalpo** was born on **01.07.1962** at **Kollegal Government Hospital, Kollegal Town, Kollegal Taluk, Chamarajanagara District**, in the concerned register of birth on payment of prescribed fee and issue birth certificate to the petitioner as per prescribed rules.

(M. Kavyshree)
Prl. Civil Judge & JMFC,
Kollegal.

