

KADG220018002026



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

Dated: 12th Day of June 2026

**PRESENT: SRI. KENCHANAGOUDA PATIL B.A.,LLB,
I Addl Civil Judge & JMFC,
Channagiri.**

Crl. Misc.497/2026

PETITIONER:

**H.L.Mallikarjuna
S/o C.H.Lakshmappa
Aged about 42 years,
R/o Uppara Beedi,
Channeshapura (Madal) Village,
Channagiri Taluk,
Davanagere District.**

(By Shri. M.Siddalingaswamy Advocate)

V/S

RESPONDENTS:

- 1. The Tahasildar, Taluk Office,
Channagiri
Channagiri Taluk,
Davanagere District.**
- 2. The Village Accountant and
Births and Deaths Registrar,
Channeshapura (Madal) Circle,
Channagiri Taluk,
Davanagere District.**

(Exparte)

**ORDERS ON PETITION UNDER SECTION 13(3) OF THE
KARNATAKA BIRTHS AND DEATHS REGISTRATION
ACT,1969**

The Petitioner has filed this petition U/Sec.13 (3) of the Karnataka Births and Deaths Registration Act 1969 for making the entry of date of birth of the petitioner by name **H.L.Mallikarjuna S/o C.H.Lakshmappa** who was born on 05-09-1983 at Channeshapura (Madal) Village, Channagiri Taluk.

2. THE BRIEF FACTS OF THE PETITIONER CASE IS AS UNDER:

In the petition the Petitioner has stated that he was born on 05-09-1983 at Channeshapura (Madal) Village, Channagiri Taluk, Davanagere District. The petitioner further submits that, though the petitioner parents have intimated to enter his date of birth but the respondent authority has not entered the same in the register of Births and Deaths maintained by the respondent. The birth certificate of petitioner is necessary for the purpose of submitting before the concerned authorities for getting correction of Adhar card and other government facilities. When he approached and had applied for birth certificate, the Respondent has issued non-availability

certificate on 27-03-2026. Hence he has prayed to issue directions as sought in the petition.

3. On service of petition notice to the Respondents, the Respondents have remained absent before the Court. Hence, they have been placed ex-parte.

4. The following points that arise for the consideration of this Court are as hereunder :

POINTS

3. Whether the Petitioner has made out grounds to allow the petition ?

4. What order ?

5. The Petitioner in support of his case, he has got examined himself as PW.1 and relied on the documents which are marked as Ex.P1 to P3 and closed his side evidence.

6. Heard the learned counsel for the petitioner and perused the material available on record.

7. The findings on the above points are as follows:

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

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

::REASONS::

8. Point No.1 : The petitioner in support of his case has filed affidavit evidence in lieu of his examination in chief. In his evidence he has clearly stated that he was born on 05-09-1983 at Channeshapura (Madal) Village, Channagiri Taluk, Davanagere District. Further deposed that, though the petitioner parents have intimated to enter his date of birth but the respondent authority has not entered the same in the registers of the Births and Deaths. Further deposed that the birth certificate is necessary for the purpose of correction of Adhar card and other government facilities. The Respondent has issued non-availability certificate, which is marked at Ex.P1. Ex.P2 is the School certificate of petitioner, which is clearly discloses that the date of birth of the petitioner. Ex.P3 is the Notarized copy of Adhar card of petitioner. The evidence of Petitioner has remained unchallenged and un-rebutted without undergoing the test of the cross-examination. Hence this court is of the opinion that the Petitioner has established that he was born on 05-09-1983 and entitle for the relief as sought for. With these observations this court has answered point No.1 in the Affirmative.

9. Point No.2 : For the aforesaid discussion on point No.1, this court proceed to pass the following :

ORDER

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

Consequently, the Respondent is hereby directed to enter the date of birth of the petitioner by name H.L.Mallikarjuna S/o C.H.Lakshmappa (ಹೆಚ್. ಎಲ್. ಮಲ್ಲಿಕಾರ್ಜುನ ಬಿನ್ ಸಿ. ಹೆಚ್. ಲಕ್ಷ್ಮಪ್ಪ) who was born on 05-09-1983 at Channeshapura (Madal) Village, Channagiri Taluk, Davanagere District, in the concerned Birth register maintained by the Respondent, after collecting necessary fee if any and issue certified copy of the same to the petitioner.

Issue intimation accordingly.

Office is directed to return the original documents to the petitioner by obtaining certified copy of the same with duly identification in accordance with law.

(Dictated to the Stenographer directly on Computer, typed by her, the same is corrected and pronounced by me in the open court on this the 12th day of June, 2026)

**(Kenchanagouda Patil)
I Addl. Civil Judge & JMFC.
Channagiri.**

::ANNEXURE::**1. List of witnesses examined on behalf of Petitioner:**

PW-1 : H.L.Mallikarjuna

2. List of documents marked on behalf of Petitioner:

Ex.P1 : Non-availability certificate

Ex.P2 : School certificate

Ex.P3 : Notarized copy of Adhar card of petitioner

(Kenchanagouda Patil)
I Addl. Civil Judge & JMFC.
Channagiri.

