

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

**PRESENT : Sri. Vajresha, B.A. L.L.B.  
II Addl. Civil Judge & JMFC,  
Channagiri.**

**DATED THIS THE 04<sup>th</sup> DAY OF JULY 2026**

**Crl.Misc.No.594/2026**

**Petitioner:**

T.Nirmala  
W/o Shivanna,  
Aged about 24 years,  
R/at Hireganguru Village,  
Channagiri Taluk.  
At present: Hosa Muchhugunte Village,  
Ramajogihalli,  
Challakere Taluk,  
Chitradurga District.

**(By Sri. M.H.Anil Kumar - Advocate)**

**V/s**

**Respondents :**

1. The Tahasildar,  
Channagiri, Channagiri Taluk.
2. The Birth and Death Registrar &  
The Village Accountant,  
Chikkaganguru Circle,  
Channagiri Taluk.

**(Ex-parte)**

**ORDER**

The petitioner has filed this petition under Sec.13(3) of the Registration of the Births and Deaths Act, 1969.

2. The petitioner has stated in the petition that, her son by name Druvanth S was born on 14.10.2019 to Shivanna and petitioner at Hireganguru Village, Channagiri Taluk. The mother of the petitioner had

intimated his date of birth to the respondent authority through orally, but the respondent authority have failed to enter her son date of birth in the concerned register. She had applied for her son's birth certificate, but the respondents issued non-availability certificate dated 28.04.2026 and that the entry regarding date of birth of her son is not available with the respondents. The petitioner has further stated in the petition that birth certificate of her son is required to get benefit from government and to apply for aadhaar card.

3. In spite of service of notice, the respondents have not appeared before the court and hence, the respondents are placed ex-parte. Accordingly the matter was posted for enquiry and the petitioner got herself examined before the court as PW-1 by filing her examination-in-chief affidavit and got marked 3 documents as Ex.P1 to P3 respectively.

4. Heard learned counsel for the petitioner. Perused the materials placed before me.

5. Following points arise for my consideration:

*i. Whether the petitioner is entitled to the relief sought for in the petition and a direction to the respondents to enter the date of birth of her son in the register concerned as 14.10.2019?*

*ii. What order?*

6. My answers to the above points are as below:

Point No.1:- In the Affirmative

Point No.2:- As per final order

### **REASONS**

7. **Point No.1:-** In order to prove the case, the petitioner has filed an affidavit and has stated on oath regarding date of birth of her son

and non-mentioning date of birth in the concerned register by the respondents authority. The petitioner in her affidavit has reiterated the entire petition averments and has produced endorsement/non-availability certificate issued by the respondent and the same has been marked as Ex.P1, school certificate of her son which has been marked as Ex.P2 and notarized copy of aadhaar card of petitioner which has been marked as Ex.P3.

8. The documentary evidence produced by the petitioner speaks that the respondents have certified the non-availability of birth certificate of Druvanth S S/o Shivanna as per Ex.P1.

9. By relying on the above said documents, the petitioner sincerely made efforts to prove her contention. The respondents remained absent and the entire evidence available on record is remained unchallenged and undisputed. I find there is no reasons to disbelieve or discard the evidence of the petitioner. I have no other go to accept the case of the petitioner, in the absence of the contra evidence. Therefore, I am of the view that the petitioner is certainly entitled to a direction from the court as prayed for in the petition. Accordingly, I answer point No.1 in the affirmative.

**10. Point No.2:-** Having answered point No.1 in the affirmative, I proceed to pass the following:

### **ORDER**

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

The respondents are hereby directed to make an entry in respect of the date of birth of petitioner's son name **Druvanth S S/o Shivanna and T. Nirmala** (ಧ್ರುವಂತ್ ಎಸ್ ಬಿನ್ ಶಿವಣ್ಣ ತಾಯಿ ಟಿ. ನಿರ್ಮಲ) born on **14.10.2019** at Hireganguru Village, Channagiri Taluk in the register concerned after collecting necessary fee.

(Order is dictated to the stenographer directly on the computer, corrected by me and then pronounced in the open court, on this the **04<sup>th</sup> Day of JULY 2026**)

Sd/-  
(Vajresha)  
II Addl. Civil Judge & JMFC,  
Channagiri.

### **ANNEXURE**

#### **List of witnesses examined for the petitioners:**

PW- 1 : T. Nirmala

#### **List of documents exhibited for the petitioners:**

Ex.P1 : Non-Availability certificate

Ex.P2 : School certificate

Ex.P3 : Notarized copy of aadhaar card of PW-1

#### **List of witnesses and documents produced for the respondents:**

- N I L -

Sd/-  
(Vajresha)  
II Addl. Civil Judge & JMFC,  
Channagiri.