

KADG320036222025



Presented on : 25-03-2025
Registered on : 27-03-2025
Decided on : 13-07-2026
Duration : 1 years, 3 months, 19 days

**IN THE COURT OF THE I ADDL. CIVIL JUDGE &
J.M.F.C. HARIHAR**

:PRESENT:

Sri. SHRINIVAS PATIL. B.A. LL.B. LL.M

I Addl. Civil Judge & JMFC, Harihar.

DATED THIS THE 13th DAY OF JULY 2026

O.S. NO.85/2025

PLAINTIFFS:

- 1) Aaradhya K.H.
D/o Kanthesh Hanchinamani,
Aged about 09 months,
- 2) Sangeeta Hanchinamani,
W/o. Kanthesh Hanchinamani,
Aged about 34 years,
Household worker,

Both are R/o. Yadagod village,
Rattihalli taluk, Haveri District.

(R/by Sri. G.N.T. – Adv.)

- V/s -

- DEFENDANTS:** 1) Chief Birth and Death Registrar,
City Municipal Council,
Harihar-577601.
- 2) The District Commissioner,
The District Commissioner Office
Karur Industrial Area,
Davanagere-577006.
- 3) Chief Secretaries,
Chief Secretary Office
Government of Karnataka,
Room No.320, 3rd Floor,
Vidhana Soudha,
Bengaluru-560001.

(D1 by K.R.S.- Adv.)
(D2 & 3 by Learned A.G.P)

Date of Institution of suit	25-03-2025		
Nature of the suit	Declaration		
Date of commencement of recording of evidence	24-07-2025		
Date on which Judgment was pronounced	13-07-2026		
Total Duration	Year/s	Month/s	Day/s
	01	03	19

Sd/-
(SHRINIVAS PATIL)

I Addl.Civil Judge & JMFC.,
Harihara.

:: JUDGMENT ::

This suit is filed by the plaintiff against the defendants to rectify her name as 'Aaradhya K.H.' instead of 'Vedashri hanchinamani'.

2) Brief facts of the plaintiff's case is as follows:

The plaintiff No.1 was born on 14.06.2024 at Akshaya Hospital, Harihar. Plaintiff No.1 is a minor child represented by her mother plaintiff No.2. The birth of plaintiff No.1 was registered before defendant No.1. According to the plaintiffs, the correct name of the plaintiff No1 is Aradhya K.H. However, in the birth certificate, her name is mentioned as Vedhashree Hanchinamani. The plaintiff have stated that they requested defendant No.1 to correct the name in the birth certificate, but defendant No.1 refused to do so. Hence the suit.

3) In pursuance of suit summons issued by this Court, the defendant No.1 has appeared through his counsel and filed written statement. Defendants No.2 and 3 have appeared through District Government Pleader and filed

memo adopting the written statement filed by the defendant No.1.

4) In the written statement, it is stated that the defendant No.1 has issued the birth certificate of the plaintiff as per the details of name, father name, mother name, religion and other details while submitting the application. The present defendant is not responsible in any manner. Hence, prayed to dismiss the suit.

5) Based on the above rival pleadings between the parties, the following issues have been framed by this Court:-

ISSUES

- 1) Whether the plaintiffs prove that the correct name of the plaintiff No.1 is Aaradhya K.H.?
- 2) Whether the plaintiffs prove that, the defendant No.1 wrongly entered the name of plaintiff No.1 as Vedashri Hanchinamani instead of Aaradhya K.H. in her birth certificate ?
- 3) Whether the plaintiffs are entitled for the relief as sought for in the plaint?
- 4) What order or decree?

6) In order to prove her case, the plaintiff No.2 examined before the Court as **PW-1** and got marked **Exs.P1 to P4**. The defendants have not led any evidence.

7) By considering the pleadings, evidence and arguments presented by the learned counsel for the plaintiff and learned A.G.P for defendants, my answer to the above issues are as under:

Issue No.1	:	In the Affirmative,
Issue No.2	:	In the Negative,
Issue No.3	:	In the Affirmative,
Issue No.4	:	As per the final order for the following:

REASONS

8) ISSUE NOS.1 and 2: All these issues are interconnected to each other, they are taken up together for common discussion in order to avoid repetition of facts.

9) PW.1 has deposed before the court as PW.1 and sworn to an affidavit by reiterating the contents of plaint averments and got marked Ex.P.1 to 4. PW.1 is the mother of plaintiff No.1. She has stated that the correct name of

her child is Aaradhya K.H. She has also stated that in the birth certificate, the name is wrongly mentioned as Vedashri Hachinamani. Ex.P.1 is the Birth Certificate of the plaintiff No.1. On the perusal of it, it clearly shows that the name of the plaintiff No.1 is entered as Vedashri Hachinamani. Therefore, Ex.P.1 supports the case of the plaintiffs to the extent that the name entered in the birth certificate is not according to the name now claimed by the plaintiffs.

10) It is also important note that plaintiff No.1 is a minor child. She was aged only about 9 months at the time of filing of suit. Therefore, it is quite natural that no other relevant documents are found in support of the name of the plaintiff No.1. Under such circumstances, the evidence of the mother becomes important. The mother has entered the witness box and stated that the correct name of the child is Aaradhya K.H. There is nothing on record to show that this claim is false. The correction sought is only regarding the name of the child. Therefore, no prejudice

will be caused to any person if the correct name of the plaintiff No.1 is entered in the birth records.

11) However, during the cross-examination, PW.1 has admitted that the name of the child in the birth certificate was mentioned on the basis of information given by her. This admission is important for considering the issue No.2. When the name was entered on the basis of information furnished by PW.1, it cannot be said that defendant No.1 wrongly entered the name of plaintiff No.1. There is no evidence to show that plaintiffs had given the name as Aaradhya K.H. at the time of registration and that defendant No.1 entered some other name by mistake.

12) Therefore, the court can accept the case of the plaintiffs that the present correct name of the plaintiff No.1 is Aaradhya K.H. but the court cannot accept the contention that the defendant No.1 wrongly entered the name as Vadashri Hanchinamani. The earlier entry appears to have been made on the basis of the information furnished by the plaintiff No.2. Hence issue No.1 is

answered in the **Affirmative** and Issue No.2 is answered in the **Negative**.

13) ISSUE NO.3: The plaintiffs have sought the relief of declaration and mandatory injunction. The evidence on record shows that the plaintiff No.1 is the minor child and her mother wants the name of the child to be corrected as Aaradhya K.H. Ex.P.1 which is the Birth Certificate shows the name as Vedashri Hanchinamani. If the name is not corrected, it may create difficulty to the minor child in future for her education. Since the correction sought is only with respect to the name of the child, the plaintiffs are entitled for the relief of declaration and mandatory injunction. Accordingly, **Issue No.3 is answered in the Affirmative.**

14) ISSUE NO.4: For the reasons discussed above, I proceed to pass the following order;

ORDER

The suit of the plaintiffs is hereby
partly decreed with costs.

It is hereby declared that the correct name of the plaintiff No.1 is Aaradhya K.H.

The defendants are hereby directed to correct the name of the plaintiffs No.1 in the Birth records from Vedashri Hanchinamani to Aaradhya K.H. by following the procedure prescribed under the law.

No order as to cost.

Draw decree accordingly.

(Dictated to the Stenographer directly over computer, typed by her, revised, corrected and then pronounced by me in the open court on this the **13th Day of July 2026**)

Sd/-

(SHRINIVAS PATIL)

I Addl.Civil Judge & JMFC.,
Harihara.

ANNEXURE

List of witnesses examined on behalf of the plaintiff:

PW.1 : Sangeetha

List of documents marked on behalf of the plaintiff:

Ex.P1 : Birth Certificate,
Ex.P2 : Certified copy of Aadhar card,
Ex.P3 : Certified copy of Voter ID,
Ex.P4 : Ration Card,

List of witnesses examined on behalf of defendants:

N O N E

List of documents marked on behalf of the defendants:

N I L

Sd/-

(SHRINIVAS PATIL)I Addl. Civil Judge & JMFC
Harihar

