

KADK510004592026



Presented on : 26-03-2026
Registered on : 27-03-2026
Decided on : 18-07-2026

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

PRESENT

SRI. SHASHANK NAGENDRA BHAT
B.B.A., LL.B (HON'S)
I Addl. Civil Judge & JMFC, Belthangady

Dated this the 18th day of July -2026.

Crl.Misc./80/2026

Petitioner : **Sri. Abdul Wahab,**
Aged about 64 years,
S/o. P.S Mahammad,
R/o. 11-64U Iima Cottage,
Behind Laadi Jumma Masjid,
Bantwal Road, Kodangallu Village
and Post, Moodabidri, D.K 574197.

(R/by Sri. **Sirajuddin A** -Advocate.)

V/s

Respondent : **The Registrar**
of Births and Deaths,
(Tahasildar, Belthangady)
Taluk and Post : Belthangady,
District : Dakshina Kannada.
(Ex-parte).

ORDER

The Petitioner has knocked the doors of this Court by filing this petition under Section 13(3) of Registration Births and Deaths Act, 1969 seeking for a direction to the Respondent to register his date of birth.

2. In the subject petition it is stated that the Petitioner by name **Abdul Wahab, S/o. P S Mahammad** was born on **15.03.1961** at **Hosangady, Belthangady Taluk, Dakshina Kannada**. The Petitioner further states that, his birth was duly intimated to the concerned authority, however it appears that it was not registered. Be that as it may, the Petitioner is now in need of his birth certificate to produce before the revenue and passport authority. Hence, the Petitioner approached the Respondent for issuance of his birth certificate. However, the Respondent issued a Non-Availability Certificate on 03.03.2026. Itaque, he prayed to issue direction to the Respondent to register his date of birth.

3. On service of Petition notice, the Respondent has remained absent, hence the Respondent is placed ex-parte.

4. The following points that arise for the consideration of this court are:

- 1.** Whether the Petitioner has made out grounds for issuing directions to the Respondent as sought?
- 2.** What order?

5. The petitioner in support of his case, has examined himself as **P.W.1** and relied on documents which are marked as **Ex.P.1 to Ex.P.4**.

6. This Court has heard the arguments of the Learned Counsel for Petitioner and has given anxious consideration to the materials on record.

7. The findings of this court to the above points are as follows:

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

Point No.2: As per final **Order** for the following:

REASONS

8. Point No.1: To fortify his case, the petitioner has filed affidavit in lieu of his examination-in-chief. In his evidence he has stated that he was born on **15.03.1961** at **Hosangady, Belthangady Taluk, Dakshina Kannada**. Further, he has deposed that, he had applied for birth certificate and the same is required for him to produce before the Revenue and Passport Authority, the Respondent authority has issued non-availability certificate and therefore, he filed this petition.

9. Further, during the course of his examination-in-chief, marked 4 documents, wherein Ex.P1 is non availability certificate, Ex.P2 is Notarized copy of Aadhar Card, Ex.P3 is Notarized copy of Transfer Certificate, Ex.P4 is Notarized copy of Election Voter ID. Ex.P3 proves the content of date of birth of the Petitioner. Ex.P2 to ExP4

are corroborated by the oral evidence of PW1. The evidence adduced by the petitioner has remained unchallenged and un-rebutted, as it has not been tested by cross-examination. Hence, this court is of the opinion that the Petitioner has established that he by name **Abdul Wahab** was born on **15.03.1961** at **Hosangady, Belthangady Taluk, Dakshina Kannada** and he is entitled for the relief sought. With these observations this court answered **POINT NO.1** in the **AFFIRMATIVE**.

10. Point No. 2 : For the foregoing discussion on point No.1, this court proceeds to pass the following :

ORDER

The petition filed under Section 13(3) of the Registration of Birth and Death Act, 1969 is hereby allowed.

The Respondent is hereby directed to enter the date of birth of petitioner – **Abdul Wahab** who was born on **15.03.1961** at **Hosangady Belthangady Taluk, Dakshina Kannada** in the relevant registers maintained by the Respondent, after collecting necessary fee, if any.

Issue intimation accordingly.

(Dictated to the Stenographer online computer and computerized by her, revised, corrected and then signed and pronounced by me in open court on this **18th day of July- 2026**)

(SHASHANK NAGENDRA BHAT)
I Addl. Civil Judge & JMFC,
Belthangady

:ANNEXURE:**List of witnesses examined on behalf of petitioner:**

P.W.1 : Sri Abdul Wahab

List of witnesses examined on behalf of respondent:

-None-

List of documents exhibited on behalf of petitioner:

Ex.P.1 : Non availability Certificate
Ex.P.2 : Notarized copy of school admission register
Ex.P.3 : Notarized copy of Aadhar card
Ex.P.4 : Notarized copy of Pan card

List of documents exhibited on behalf of respondent:

- Nil -

(SHASHANK NAGENDRA BHAT)
I Addl. Civil Judge & JMFC,
Belthangady