



**IN THE COURT OF PRINCIPAL CIVIL JUDGE & J.M.F.C. AT
BELTHANGADY.**

PRESENT:

SRI.RAMALINGAPPA., BA.LLB

Prl. Civil Judge and JMFC, Belthangady

Dated this the 13th day of July 2026

Criminal Misc.No.93/2026

PETITIONER: **KHALID M U,**
S/o Usman Beary,
Aged about 39 years,
R/at Mura House,
Navooru Village & Post,
Belthangady Taluk. D.K District,

(By Adv: Sri. N.S.A)

Vs

RESPONDENT: **Thahsildar, Belthangady Taluk,**
As Registrar of Births and Deaths,
Belthangady Taluk.

(Respondent absent)

ORDER

This petition is filed under Section 13(3) of Birth and Death Registration Act, seeking direction to the respondent to make necessary entry of the factum of birth of the petitioner in the register of births maintained by the respondent, by condoning the delay in making the necessary entry of the same.

2. The case of the petitioner is that, he was born on 20.06.1986 at Mura House, Navoor Village of Belthangady Taluk. The petitioner approached the respondent

authority for issuing birth certificate by submitting necessary application, as he is in need of his birth certificate for the correction in Voter ID. But the respondent after verifying the records issued Non-Availability Certificate, stating that there is no entry regarding date of birth of the petitioner in the register maintained by them. Hence, left with no other option, the petitioner approached this Court for necessary directions to the respondent to make entry of the date of birth of the petitioner and for issuance of birth certificate in his favour.

3. Despite due service of notice of this petition, the respondent remained absent.

4. In order to substantiate the case, the Petitioner got examined himself as PW1 and got marked documents Exhibit P1 to Ex.P4 and closed his evidence. Since, respondent remained absent, cross examination of PW1 was taken as nil.

5. I have heard the arguments and perused the entire materials available on record.

6. The following points would arise for my consideration:

1. Whether the Petitioner has made out grounds for allowing the Petition?
2. What order?

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

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

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

:REASONS:

8. POINT NO.1: In order to substantiate the case, the petitioner himself got examined as PW1 by filing affidavit-in-lieu of examination-in-chief and deposed that, he is in need of his birth certificate for the correction in Voter ID. In support of the same, he produced Non-Availability Certificate issued by the Respondent as per Ex.P-1, Notarized true copies of his Adhar card, Pan Card and School Transfer certificate as per Ex.P2 to Ex.P4. As per entry made in the document Ex.P2 Adhar card, Ex.P2 Pan Card and Ex.P4 School Transfer Certificate the date of birth of petitioner is shown as 20.06.1986. The oral and documentary evidence produced by PW-1 are absolutely remained unchallenged. Moreover, the documents produced by the petitioner shows that, he is the son of Usman Beary, he is the permanent resident of Mura House, Navooru Village, Belthangady Taluk was born on 20.06.1986. The aforesaid documents are sufficient to arrive at the conclusion. Under the circumstances, I do not find any reasons to disbelieve the evidence of PW-1. Hence, I answer point no.1 in the '**affirmative**'.

9. POINT NO.2: In view of my above discussion and findings on point no.1, I proceed to pass the following:

ORDER

Petition filed by the Petitioner under section 13(3) of Registration of Births and Deaths Act, is hereby allowed.

The respondent is hereby directed to register the factum of birth of the petitioner namely, **KHALID M U S/o USMAN BEARY**, as on **20.06.1986** on payment of requisite fee.

(Dictated to the Stenographer, directly on the computer, typed by his, corrected by me and then pronounced in open court on this 13th day of July 2026)

(RAMALINGAPPA)
Prl. Civil Judge & J.M.F.C.
BELTHANDAY

ANNEXURE

List of witnesses examined for the petitioner:-

P.W. 1 - Khalid M U

List of witnesses examined for the respondent:-

-Nil-

List of documents exhibited for the petitioner:

Ex. P1 - Non-Availability Certificate,

Ex. P2 - Notarized copy of Adhar Card

Ex. P3 - Notarized copy of Pan Card,

Ex. P4 - Notarized copy of Transfer certificate,

List of documents exhibited for the respondent:-

-Nil-

(RAMALINGAPPA)
Prl. Civil Judge & J.M.F.C.
BELTHANDAY