

KADK610002032026



Presented on : 27-03-2026
Registered on : 27-03-2026
Decided on : 09-07-2026
Duration : 03 months/12 days

IN THE COURT OF CIVIL JUDGE & J.M.F.C.,
AT MOOBBIDRI, DAKSHINA KANNADA

Present:

Sri. Fawaz P.A. B.A. LL.B.,
Civil Judge and JMFC, Moodbidri

Dated this 09th day of July 2026

ORIGINAL SUIT NO. 41/2026

Plaintiff:

Kum. Diya P.,
Aged 5 years,
D/o. Prasad,
Rep by Natural Guardian Mother
Rakshitha, Aged 30 years,
W/o. Prasad,
R/at #1-124, Kanakabettu House,
Badagayedapadavu Post and Village,
Mangalore Taluk
(By Smt. Shwetha Kumari-Advocate)

-V/S-

Defendant:

The Registrar of Birth and Deaths,
Represented by Town Municipality,
Moodbidri, Moodbidri Taluk.

(Exparte)

JUDGMENT

The Plaintiff has filed the suit against the Defendant for the relief of Declaration.

2. The nutshell of the Plaintiff's suit are that :-

The Plaintiff was born on **29-08-2020** at Alvas Health Centre, Moodbidri. Her father's name is '**PRASAD**' and mother's name is '**RAKSHITHA**'. The plaintiff's father informed the defendant with respect to her parents name. But, the defendant has wrongly entered the name of father the plaintiff as '**JANARDHAN K.**' in the Birth Certificate. The plaintiff knowing the future consequences applied for correction of her father's name at the office of defendant on 05.03.2026, but the defendant opposed the requisition. Hence, plaintiff filed the suit, praying a Declaration of rectification of her father's name in the records of the defendant.

3. The suit summons was served upon the defendant. The Defendant stayed absent. Hence, he was placed exparte.

4. In order to prove the case of plaintiff, the plaintiff's mother examined as P.W.1 and got marked Ex.P1 to Ex.P5. The defendant did not cross-examine the witness nor lead defence evidence.

5. Heard counsel for the plaintiff.

6. On perusal of the materials, following points arise for my consideration.

Point No.1: Whether the Plaintiff proves that her father's name is '**PRASAD**' and Defendant has entered the same in Birth Certificate wrongly as '**JANARDHAN K.**'

Point No.2: What Order?

7. On perusal of materials placed on record my findings on above points are as under;

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

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

REASONS

8. Points Nos.1 and 2 :- As these points are interrelated each other, hence they are taken up together for common consideration at once to avoid the repetition of facts and circumstances.

9. The Plaintiff was born on **29-08-2020** at Alvas Health Centre, Moodbidri. Her father's name is '**PRASAD**' and mother's name is '**RAKSHITHA**'. The plaintiff's father informed the defendant with respect to her parents name. But, the defendant has wrongly entered the name of father the plaintiff as '**JANARDHAN K.**' in the Birth Certificate. The plaintiff knowing the future consequences applied for

correction of her father's name at the office of defendant on 05.03.2026, but the defendant opposed the requisition. Hence, plaintiff filed the suit, praying a Declaration of rectification of her father's name in the records of the defendant.

10. The Plaintiff got examined her mother as P.W.1 and got marked Ex.P.1 to P5. Ex.P1 is the birth certificate of Plaintiff. Ex.P2 is the Endorsement issued by the Defendant, Ex.P3 is the notarized copy of Aadhaar Card of Plaintiff's mother. Ex.P4 is the notarized copy of Aadhaar Card of plaintiff's father, Ex.P5 is the Income and Caste Certificate of the plaintiff's mother.

11. On perusal of the Birth Certificate, it is quite evident that, the same has been issued by the defendant. In the said Birth Certificate, the name of the father of the plaintiff has been entered as '**JANARADHAN K.**'. On perusal of the Caste Certificate, it is quite evident that the name of the husband of the P.W.1 is '**PRASAD**'. It is nowhere disputed that the P.W.1 is not the mother of the plaintiff. The name of the mother of the plaintiff in Ex.P1 is mentioned as '**RAKSHITHA**'. In such circumstances, as there is no any contradicting evidence placed on record, I am of the opinion that the name of the father of the plaintiff is '**PRASAD**' and the same has to be rectified in the Birth Certificate issued by the defendant. Hence, I answer **Point No.1 Affirmatively.**

12. POINT NO.2:- In view of the finding given on above point, facts and circumstances of the case, I proceed to pass the following -

ORDER

The suit of the Plaintiff is hereby decreed with cost.

The defendant is hereby directed to rectify the name of the father of the Plaintiff as “**PRASAD**”, in the records maintained by the defendant.

Draw decree accordingly.

(Dictated to the Stenographer directly on computer, typed by her and corrected by me and pronounced in the open Court, on this the **09th day of July, 2026**).

(Fawaz P.A.)
Civil Judge & J.M.F.C.
Moodbidri, D.K.

:- ANNEXURES :-

WITNESSES EXAMINED FOR

Plaintiff/s

PW1- Mrs. Rakshitha

Defendant/s

-Nil-

DOCUMENTS MARKED FOR

Plaintiff/s

- Ex.P1 : Birth certificate of Plaintiff
- Ex.P2 : Endorsement issued by the Defendant
- Ex.P3 : Notarized copy of Aadhaar Card of Plaintiff's mother.

Ex.P4 : Notarized copy of Aadhaar Card of Plaintiff's father.

Ex.P6 : Income and Caste Certificate of plaintiff's mother

Defendant/s

-NIL-

**(Fawaz P.A.)
Civil Judge & J.M.F.C.
Moodbidri, D.K.**