



**IN THE COURT OF THE PRL. CIVIL JUDGE & J.M.F.C.,
DHARWAD**

Present:

**Sri. Kadappa Hukkeri
Prl. Civil Judge & J.M.F.C, Dharwad**

Dated this the 04th day of July, 2026

O.S.No.26/2026

<u>Plaintiff:</u>		Geeta D/o Huvappa Shambhunavar Tadakod, Age: 17 Tears, Occ: Student R/by her Natural Father/Minor Guardian Huvappa S/o Fakkirappa Shambhunavar, Age: 42 years, Occ: Agriculture, Tq & Dist: Dharwad Presently Residing At: Tadakoad – 581105.
		(By Sri. D.N.Bevoor., Adv.)
		Versus
<u>Defendants :</u>	1.	The Deputy Commissioner, D.C. Compound, Dharwad - 580001
	2.	The Deputy Director Of Public Instructions D.C. Compound Dharwad. - 580001.
	3.	The Block Education Officer Tq & Dist: Dharwad.
	4.	The Head Mastar Govt Higher Primary School Tadkod Tq & Dist: Dharwad - 581105



	5.	The Head Master R.N.S Vidyaniketan Vasavi Nagar Tq: Hubballi Dist: Dharwad – 580024
	6.	The Registrar of Birth and Deaths, R/by Assistant Commissioner, zonal Office No: Dharwad Municipal Corporation Dharwad.
		(D- 1 to 4 By Sri. II ADGP Adv) (D-5 & 6 – Exparte)

Nature of the suit	:	Suit for declaration and injunction
Date of institution of the suit	:	12-01-2026
Date of commencement of recording evidence	:	02-06-2026
Date of Judgement	:	04-07-2026
Total duration	:	Years Months Days
		00 05 07

**Prl. Civil Judge and J.M.F.C.
Dharwad.**

JUDGMENT

This suit is filed by the plaintiff against the defendants seeking a declaration that her correct name is



Geeta D/o. Huvappa Shambhunavar, and for a mandatory injunction directing the defendants to record her name as *Geeta D/o. Huvappa Shambhunavar* in the school records.

2. **The summary of the plaint is as follows:**

It is the case of the plaintiff that she was born on 13-05-2009. In her birth certificate, her surname was wrongly entered as *Shambhoonavar* instead of *Shambhunavar*. The plaintiff studied from 1st Standard to 7th Standard in Defendant No.4 school, and from 8th Standard to 10th Standard in Defendant No.5 school. She is presently studying in 11th Standard. At the time of admission, the school authorities recorded the plaintiff's surname incorrectly as *Shambhoonavar* instead of *Shambhunavar*. This mistake came to light only recently. Immediately thereafter, on 06-09-2025, the plaintiff's father submitted applications to Defendant Nos.4 and 5 seeking rectification of his daughter's surname in the school records. However, the defendants refused to make



the correction and advised that a court order was necessary. Hence, the plaintiff has been constrained to file the present suit.

3. After institution of the suit, defendant Nos.1 to 4 appeared through II ADGP. The defendant No.2 has filed the written statement and contested the suit. The defendant Nos.1, 3 and 4 filed memo to adopted the written statement of defendant No.2. In the written statement the defendant No.2 has denied the entire averments of the plaint. It is contended by the defendant No.2 that the plaintiff has not stated for what purpose he is required correction in the school records. It is also submitted that at the time of admitting his parents given the information to the defendants. As per the information provided by the parents the school authority has recorded in the school. The suit of the plaintiff is barred by law of limitation the plaintiff has not shown the cause of action. Hence, they prayed to dismiss the suit.



4. Despite of service of summons the defendant Nos.5 and 6 remained absent as such he was placed ex-parte.

5. In order to prove her case the father of plaintiff by name Huvappa S/o Fakkirappa Shambhunavar himself examined as PW1 and got marked documents as Ex.P1 to Ex.5. On the other hand, defendants neither examined any witnesses nor produced any documents.

6. Arguments were heard from the both sides and perused the materials on records.

7. On the based of the pleadings of parties and documents on record the suit following issues were framed;

ISSUES

- 1) Whether plaintiff proves that her correct name is Geeta D/o Huvappa Shambhunavar instead of Geeta D/o Huvappa Shambhoonavar?
- 2) Whether plaintiff is entitled relief of declaration and mandatory injunction as sought for?
- 3) What order or decree?



8. The findings of this Court to the above issues are as follows:

Issue No.1 : in the affirmative.

Issue No.2 : in the affirmative.

Issue No.3 : As per final order, for the following:

REASONS

9. **Issues No.1:** The plaintiff has filed the instant suit seeking the relief of Declaration and Injunction against the defendants.

10. In order to substantiate her claims, the father of plaintiff by name Huvappa S/o Fakkirappa Shambunavar himself examined as PW1 by filing his affidavit evidence. In the affidavit evidence PW1 has reiterated the entire averments made in the plaint. In support of his claims PW.1 produced the Ex.P1 Birth certificate which disclose that plaintiff name is entered as Geeta and name of father is mentioned as Huvappa Shambunavar. Ex.P2 is the SSLC marks card her name is entered as Geeta



Shambhoonavar and Ex.P4 is Aadhar card of plaintiff her which disclose that her name is appearing as Geeta Shambhoonavar. Ex.P4 is Aadhar card of father of plaintiff which discloses that her father name is appearing as Huvappa P. Shambhunavar and Ex.P5 is Ration card it reveals that her name is mentioned as Geeta Shambhoonavar and others family members surname is mentioned as Shambhunavar.

11. In the cross-examination, PW-1 stated that he produced the Aadhaar card to show the presence of the letter “U” after “Shambu.” He further admitted that he produced the Aadhaar card of his daughter, and acknowledged that after obtaining the 10th Standard marks card there was an opportunity to correct the error, but he did not apply for such correction. PW-1 also admitted that the mistake in the school records persisted due to his own negligence. Even so, these admissions do not undermine the fact that the documentary evidence consistently



supports the plaintiff's correct surname as *Shambhunavar*. The admissions only explain why the error continued, but they do not negate the plaintiff's entitlement to rectification through a court order.

12. From the evidence placed on record, it is clear that the plaintiff's correct surname name is *Shambhunavar*. Ex.P1, the Birth Certificate, establishes the plaintiff's name as Geeta and her father's name as Huvappa Shambhunavar. This primary document supports the plaintiff's claim regarding her correct identity.

13. Further, Ex.P2 SSLC Marks Card, Ex.P3 Aadhaar Card of the plaintiff consistently show the plaintiff's name as *Geeta Shambhoonavar*, though with a variation in the spelling of the surname. Ex.P4 Aadhaar Card of the father and Ex.P5 ration card record his name as *Huvappa P. Shambhunavar*, which corroborates the correct spelling of the family surname. Taken together, these documents demonstrate that the discrepancy in the school records is a



clerical error, and the plaintiff has successfully proved that her correct surname is *Shambhunavar*. As such, this Court is of the opinion that the contention of plaintiff that surname is wrongly entered in the School records is to be accepted and he is entitled for relief of declaration. Hence in view of aforesaid discussion the **Issues No1 is answered in the affirmative.**

14. **Issue No.2** :- It is to be noted that the correct surname of plaintiff is *Shambhunavar*. Therefore the said correct surname has to be corrected in the school document of plaintiff or else the more irreparable loss would cause to the plaintiff. Thus the plaintiff is entitled for relief of mandatory injunction under the present suit. Hence, **Issue No.2 is answered in the Affirmative.**

15. **Issues No.3**: For the foregoing reasons, discussion and findings on issues No.1 and 2, this court proceeds to pass the following:



ORDER

Accordingly, the suit filed by the plaintiff is hereby decreed.

It is declared that the correct name of the plaintiff is *Geeta D/o. Huvappa Shambhunavar*.

The defendants are directed, by way of mandatory injunction, to rectify and record the plaintiff's name as *Geeta D/o. Huvappa Shambhunavar* in all her school records forthwith.

No order as to costs. Draw decree accordingly.

(Dictated to the stenographer directly on computer, corrected and then pronounced by me in the open Court on 04th day of July, 2026)

(Kadappa Hukkeri)
Prl. Civil judge and J.M.F.C
Dharwad.

ANNEXURE

1. List of witnesses examined for the Plaintiff.

P.W.1	:	Huvappa S/o Fakkirappa Shambhunavar
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2. List of the documents marked for the plaintiff:

Ex.P.1	:	Birth Certificate
Ex.P.2	:	SSLC Marks Card.
Ex.P.3 & 4	:	Aadhaar cards
Ex.P5	:	Ration card.

3. List of witnesses examined for the Defendants.

-NIL-

4. List of documents marked for the Defendants.

-NIL-

**Prl. Civil Judge and J.M.F.C.
Dharwad.**