



IN THE COURT OF THE CIVIL JUDGE & JMFC, AT BYADGI.

Present: Sri. Basavaraja Thulasappa Nayaka, L.L.M
Civil Judge & JMFC, Byadgi.

Dated this the 15th day of July - 2026

ORIGINAL SUIT NO.390/2025

PLAINTIFF : Sri Mahaboob S/o Mahammadali
Sali, Age: 50 years, Occ: Agriculture,
R/o: Kadaramandalagi, Tq: Byadgi,
Dist: Haveri.

[By Sri.C.C.D., Advocate].

V/s

DEFENDANTS :1 Head Master
Government Higher Urdu Primary
School, Kadaramandalagi, Tq: Byadgi,
Dist: Haveri.

2. Head Master
Government Higher Primary Urdu Boys
School, Shivapur Badavane, Byadgi,
Tq: Byadgi, Dist: Haveri.

3. Deputy Principal
S.J.J.M Karnataka Public School, Byadgi,
Tq: Byadgi, Dist: Haveri.

4. B.E.O Byadgi, Tq: Byadgi, Dist: Haveri.



5. Chief Secretary, Government of Karnataka
R/by Deputy Commissioner Haveri,
Dist: Haveri.
6. Secretary
Karnataka School Examination Board,
6th Cross Malleshwaram
Bengaluru-560003.
7. Head Master
Government Minority Morarji Desai
Pre- University Girls Residential Collage,
Haveri-Karajagi, Tq: Dist: Haveri.
8. Deputy Director
Public Education Department
Haveri Tq: Dist: Haveri.
9. Commissioner
Pre- University Education Department,
Bengaluru.

[Deft Nos.1 to 9 by Learned AGP.]

Date of Institution of the suit	03.12.2025
Nature of the suit	Suit for declaration
Date of commencement of recording of evidence	13.02.2026
Date on which the judgment was pronounced	15.07.2026



Total duration	Year/s	Month/s	Day/s
	00	07	12

J U D G M E N T

The present is suit filed by the plaintiff seeking to relief of that his daughter name is Saniya Mahaboob Sali and her date of birth is 04.08.2008.

2. Factual matrix: -

The plaintiff contended that, he is permanent resident of Kadaramandalagi village. His daughter studied 1st to 5th standard in defendant No.1 school. In the school records her name is mentioned as Saniya Mahabub Sali and date of birth is mentioned as 04.08.2008 due to over sight. The plaintiff contended that, father name is Mahaboob and his daughter name is Saniya Sali. The plaintiff studied 6th and 8th standard in the defendant No.2 school. The said error continued in the said school. She studied in 9th and 10th standard in defendant No.10 school. Even said school also her father name is wrongly



mentioned and the date of birth is wrongly mentioned. She approached in the defendants for the correction and issued notice. But the defendants did not make any correction. Hence, the present suit.

3. After service of summons, defendant No.4 appeared and filed written statement. Defendant No.1 to 3 and 5 to 9 filed memo adopting the written statement of defendant No.4. The defendant contended that the present suit is not maintainable. As per the information given by the parents of the plaintiff, her date of birth is mentioned as 04.08.2008 and father name is mentioned as Mahabub. There is no error on their part. After lapse of more than 11 years, the present suit is filed. Further contended that, the date of birth of plaintiff cannot be altered as 04.11.2008 ,as per the Rules on the date of the admission, the student must be aged 5 years 10 months and at the time of writing SSLC Exam, 15 years must be competed. Hence,



prays for dismissal of the suit.

4. Based on the aforesaid facts, this Court has framed the following :

ISSUES

1. Whether the plaintiff proves that, his correct daughter name is “Saniya Mahaboob Sali” and date of birth is “04.11.2008”?
2. Whether the defendant No.1 to 9 prove that, this Court has no jurisdiction to entertain the suit of the plaintiff?
3. Whether the defendant No.1 to 9 prove that, the suit of the plaintiff is barred by law of limitation?
4. Whether the plaintiff is entitled for the relief as prayed for?
5. What order or decree?

Issue No.1 needs to be reframed as follows:-

1. Whether plaintiff proves that, his daughter correct name is “Saniya Mahaboob Sali” and date of birth is “04.11.2008”?



5. In order to prove the case of plaintiff, plaintiff himself got examined as P.W.1 and got marked documents at Ex.P.1 to Ex.P.17 and closed plaintiff's side. Defendant No.4 got examined himself as DW.1 and not produced any documents and closed their side.

6. Heard learned counsel for plaintiff and learned counsel for defendant Nos.1 to 9. Perused the material on record. On the basis of the plaint averments and on arguments, this Court answered the aforesaid issues as follows:

Issue No.1	: Partly in the Affirmative,
Issue No.2	: In the Negative,
Issue No.3	: In the Negative,
Issue No.4	: Partly in the Affirmative and
Issue No.5	: As per final order for the following:

REASONS

7. Issue No.1: The present suit is filed by the plaintiff seeking declaration that, his daughter name is Saniya



Mahaboob Sali and father name is Mahaboob and also sought for correction as to date of birth of his daughter as 04.11.2008 instead of 04.08.2008. On the other hand, the defendant denied that, the committed any error in entered name of the plaintiff and date of birth. Further contended that, as per information given by the parents of the plaintiff, the date of birth entered as 04.08.2008 and her name is entered.

8. The plaintiff filed affidavit in lieu of chief examination and examined as PW.1 and reiterated the averments made in the plaint. Further relied on Ex.P.1 to Ex.P.17. Ex.P.1 is the birth certificate, Ex.P.2 to Ex.P.5 are the study certificates, Ex.P.6 is the marks card, Ex.P.7 is the letter of defendant, Ex.P.8 is the letter dated 3-11-2026, Ex.P.9 is the notice, Ex.P.10 is the postal receipt, Ex.P.11 to Ex.P.17 are the postal acknowledgments. The plaintiff claim that, his daughter name is Saniya Mahaboob Sali and her date of birth is 04.11.2008.



The plaintiff in order to prove that, her father name is Mahaboob, produced the the Ex.P.3 and Ex.P.4 wherein her father name is mentioned as Mahaboob (ಮಹಬೂಬ). Ex.P.1 birth certificate ,wherein the father name is mentioned as Mahaboob. In study certificate i.e., Ex.P.2 and Ex.P.3 wherein her name is mentioned as Saniya Mehaboob Sali, it appears that, in Ex.P.6 SSLC marks card, wherein her father name is mentioned as Mahabub instead of Mahaboob. Though PW.1 cross examined at length nothing has elucidated to disprove that, her name is Saniya Mahaboob Sali. It appears that there is typographical error while mentioning the name. So far as the date of birth of Saniya , the daughter of plaintiff is concerned. The plaintiff in this regard relied on Ex.P.1, the birth certificate and contended that, in the said certificate the date of birth of plaintiff mentioned as 04.11.2008. The DW.1 in the cross examination denied that, in the school records of plaintiff daughter date of birth is wrongly mentioned due to over sight. Now the question



is whether based on the Ex.P.1 the birth certificate can it be held that, the date of birth of plaintiff is 04.11.2008. It is pertinent to note that, on perusal of Ex.P.1 the birth certificate, wherein it shown that, the daughter of plaintiff was born in Pranva Health Centre Ranebennur, regarding the birth of the plaintiff daughter Saniya on the said date in the Health Centre mentioned in the Ex.P.1 has not placed any documents before the Court. Such being the case, mere production of Ex.P.1 the birth certificate is not suffice of hold that, the date of plaintiff daughter wrongly mentioned as 04.11.2008 in the school records. Hence, I am of the opinion that the plaintiff has only proved that his daughter name is Saniya Mahaboob sali. Hence, I answer this Issue **Partly in the Affirmative.**

9. Issue No.2 and 3:- Since the defendants have taken up a specific contention that, the suit is barred by law of limitation and further contend that this court has no jurisdiction .The



pw1 in the cross examination states he was not aware of the wrong entry. From the materials available on record, it could be seen that, the plaintiff has filed the present suit within three years from the date of his knowledge. Therefore, the instant suit is within the time. Though, the defendant contend that this court has no jurisdiction to try the suit. It is pertinent to note that, on perusal of the Ex.P8, wherein they only states that decree of the court is necessary. Hence, the defence taken by the defendants is not accepted and believable. Therefore, I have answered the **Issue No.2 and 3 in the Negative.**

10. Issue No.4:- As the plaintiff proved that his daughter name is Saniya Mahaboob Sali and her father name Mahaboob. Hence, I am of the opinion that the plaintiff is entitle for the relief as to correct of the name as sought in the plait. So far as date of birth is concerned, I have held that, the plaintiff has not proved that his daughter date of birth is 04.11.2008.



Hence, the plaintiff is not entitle for the correction of date of birth as sought in the plaint. Accordingly, I answered **Issue No.4 Partly in the Affirmative.**

11. Issue No.5:- In view of my findings on above issues, I proceed to pass the following:

ORDER

The suit filed by the plaintiff is hereby partly decreed.

It is declared that, the name of the plaintiff daughter is Saniya Mahaboob Sali and her father name is Mahaboob.

The prayer of the plaintiff regarding date of birth of his daughter as “04.11.2008” is rejected.

Defendants are hereby directed to effect necessary changes in the school records regarding the name of the plaintiff daughter as Saniya Mahaboob Sali and father name as Mahaboob.



No order as to cost.

Draw decree accordingly.

(Dictated to stenographer typed by her, corrected by me, then pronounced in the open court on this the **15th day of July, 2026**)

(Basavaraja Thulasappa Nayaka)
Civil Judge & JMFC,
Byadgi.

ANNEXURE

1.The list of witnesses examined on behalf of the plaintiff:

P.W.1 : Mahaboob S/o Mahammadali Sali.

2. The list of witnesses examined on behalf of the defendants:

DW.1 : S.G.Koti.

3.The list of documents exhibited on behalf of the plaintiff:

Ex.P.1 : Birth certificate

Ex.P.2to5 : Study certificates

Ex.P.6 : Marks Card

Ex.P.7 : Letter dated 11.11.2025

Ex.P.8 : Letter dated 03.11.2025

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Ex.P.9 : Notice
Ex.P.10 : Postal receipt
Ex.P.11to 17 : Postal acknowledgments.

4. The list of documents exhibited on behalf of the defendants:

NIL

**(Basavaraja Thulasappa Nayaka)
Civil Judge & JMFC,
Byadgi.**

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