



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.391/2025

- PLAINTIFF** : 1. Sri Mahaboob S/o Mahammadali
Sali, Age: 50 years, Occ: Agriculture,
R/o: Kadaramandalagi, Tq: Byadgi,
Dist: Haveri.
2. Niha D/o Mahaboob Sali
Age: 19 years, Occ: Student,
R/o: Kadaramandalagi, Tq: Byadgi,
Dist: Haveri.

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

V/s

- DEFENDANTS** :1 Head Master
Government Higher Urdu Primary
Kannada School, Kadaramandalagi,
Tq: Byadgi, Dist: Haveri.
2. Promoted Head Master
Government Urdu Higher Primary
School, Hamsabhavi, Tq: Hirekerur,
Dist: Haveri.
3. Head Master
Government Higher Primary Urdu Boys
School, Shivapur Badavane, Byadgi,
Tq: Byadgi, Dist: Haveri.



4. Deputy Principal
S.J.J.M Karnataka Public School,
Byadgi, Tq: Byadgi, Dist: Haveri.
5. B.E.O, Hirekerur, Tq: Hirekerur,
Dist: Haveri.
6. B.E.O, Byadgi, Tq: Byadgi, Dist: Haveri.
7. Chief Secretary, Government of Karnataka
R/by Deputy Commissioner Haveri,
Dist: Haveri.
8. Secretary
Karnataka School Examination Board,
6th Cross Malleshwaram
Bengaluru-560003.
9. Principal
Government S.J.J.M Pre-University
Collage, Byadgi, Tq: Byadgi, Dist: Haveri.
10. Deputy Director
Public Education Department
Haveri Tq: Dist: Haveri.
11. Commissioner
Pre- University Education Department,
Bengaluru.

[Deft Nos.1 to 11 by Learned AGP.]

Date of Institution of the suit	03.12.2025
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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 suit is filed by the plaintiff seeking to relief of declaration and mandatory injunction.

2. Brief facts of the case: -

It is case of the plaintiff that, the plaintiffs are the permanent resident of Kadaramandalagi village of Byadgi Taluk. The plaintiff No.2 Niha Mahaboob Sali studied 1st to 5th standard in defendant No.1 school. At the time of admission, her name is wrongly mentioned as Niha Mahaboob Sab Sali instead of Niha Mahaboob Sali and her father name is mentioned as Mahaboob Sab instead of Mahaboob. The plaintiff No.2 studied 6th and 7th standard in defendant No.2 school and 8th standard in defendant No.3 school and 9th and 10th standard



in defendant No.4 school. In the said school also in the education records her name and father name wrongly entered. The plaintiff has issued notice to defendants for correction of her name as Niha Mahaboob Sali and her father name is Mahaboob and the defendants did not replied to the same. Hence, the present suit.

3. After service of summons, defendants appeared before Court through AGP and filed written statement. The defendants contended that they have not committed any error while entering the name of plaintiff father as Mahaboob Sab. As per the instruction given by the plaintiff, the names are entered in the educational records. Further contended that, the present suit is not maintainable. 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 daughter correct name is “Niha Mahaboob



Sali” as per birth registration?

2. Whether the defendant No.1 to 11 prove that, this Court has no jurisdiction to entertain the suit of the plaintiff?
3. Whether the defendant No.1 to 11 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?

5. An additional issue needs to be framed as follow:

1. Whether the plaintiffs prove that, her father name is Mahaboob as contented in the plaint?

6. In order to prove the case of plaintiffs, plaintiff No.1 himself got examined as P.W.1 and got marked documents at Ex.P.1 to Ex.P.25 and closed plaintiff’s side. Defendant No.6 got examined himself as DW.1 and not produced any documents and closed their side.

7. Heard learned counsel for plaintiff and learned



counsel for defendant Nos.1 to 11. 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 : In the Affirmative,
Issue No.2 : In the Negative,
Issue No.3 : In the Negative,
Issue No.4 : In the Affirmative,
Addl Issue No.1: In the Affirmative and
Issue No.5 : As per final order for the
following:

REASONS

8. Issue No.1 and Additional Issue No.1: Since both these issues are inter connected with each other. Hence both the issues are taken together for discussion to avoid repetition of facts and reasonings.

9. The plaintiff contented that, the correct name of plaintiff No.2 is Niha Mahaboob Sali and her father correct name is Mahaboob. In the education records of the plaintiff No.2



her name is wrongly entered as Niha Mahaboob Sab Sali and her father name is wrongly entered as Mahaboob Sab. On the other hand, the defendants contended that the present suit is not maintainable and further contended that, there is no error on their part while entering the name of plaintiff No.2.

10. The plaintiff No.1 in order to prove the case examined as PW.1 and reiterated the averments made in the plaint and further relied on Ex.P.1 to Ex.P.25. The defendant No.6 examined as DW.1. No documents are marked . On perusal of Ex.P.1, the birth certificate of plaintiff No.2 wherein plaintiff No.2 name is mentioned as Niha Mahaboob Sali and father name is mentioned as Mahaboob. In the Ex.P.2 to Ex.P.7 the education records of plaintiff No.2, wherein plaintiff No.2 name is mentioned as Niha Mahaboob Sab Sali and father name is mentioned as Mahaboob Sab. The plaintiff produced before the Court the Ex.P.24. The study certificate of her father i.e., plaintiff No.1 wherein plaintiff No.1 name is mentioned as



Mahaboob and also produced the Aadhaar Card of plaintiff No.1 in the said documents also the name of plaintiff No.1 mentioned as Mahaboob. The defendant No.6 in his affidavit only denied that, in the education records of plaintiff No.2, the name of plaintiff No.2 and her father name is wrongly mentioned. It is pertinent to note that, the Ex.P.1 and Ex.P.24 and Ex.P.25 are the public documents wherein name of the plaintiff No.2 is mentioned as Niha Mahaboob Sali and her father name is mentioned as Mahaboob. The said documents are not denied. Though PW.1 was cross examined at length nothing is elicited to disprove the case of the plaintiffs. Hence, I am of the opinion that the plaintiff has proved that, her name is Niha Mahaboob Sali and her father name is Mahaboob. Hence, I answered **Issue No.1 and Additional Issue No.1 in the Affirmative.**

11. Issue No.2 and 3:- The defendants contended that this Court has no jurisdiction to entertain the suit and barred



by law of limitation. The plaintiff seeking declaration has to her father name as Mahaboob. Further nothing is elucidated by the PW.1 to show that, the suit is barred by law of limitation. The contention of the defendants that, this Court has no jurisdiction to entertain the suit is not acceptable. Hence, I answered **Issue No.2 and 3 in the Negative.**

12. Issue No.4:- As plaintiff proved that, her name is Niha Mahaboob Sali and her father name is Mahaboob. I am of the opinion that, the plaintiff is entitled for the relief of declaration that, her name is Niha Mahaboob Sali and her father name is Mahaboob and also entitled for the relief of mandatory injunction for correction in the education records of the plaintiff No.2. Hence, I answered **Issue No.4 in the Affirmative.**

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



ORDER

The suit of the plaintiff is hereby decreed.

It is held that, the name of the plaintiff No.2 is Niha Mahaboob Sali and father name is Mahaboob.

The defendants are hereby directed to enter the correct name of the plaintiff No.2 as Niha Mahaboob Sali and her father name as Mahaboob in place of Mahaboob Sab in the educational records of the plaintiff No.2.

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 plaintiffs:

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 plaintiffs:

Ex.P.1	:	Birth certificate
Ex.P.2to6	:	Study certificates
Ex.P.7	:	Marks Card
Ex.P.8	:	Notice
Ex.P.9	:	Letter dated 06.11.2025
Ex.P.10	:	Letter dated 11.11.2025
Ex.P.11	:	Legal notice
Ex.P.12	:	Postal receipt
Ex.P.13to23	:	Postal acknowledgments
Ex.P.24	:	School certificate
Ex.P.25	:	Aadhaar Card of plaintiff No.1.

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

NIL

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

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