



Presented on : 06-12-2025
Registered on : 09-12-2025
Decided on : 03-07-2026
Duration : 00 years, 06 months,
25 days

IN THE COURT OF I ADDL. CIVIL JUDGE & JMFC ,
HIREKERUR

Present:

SRI. BASAVARAJ NESARAGI,
B.Sc.,LL.B (Spl)
1st Addl. Civil Judge & JMFC
HIREKERUR.

O.S. No.397/2025

Dated this the 03rd day of July, 2026

1. Vinaya. B. Vadenapura,
Age: 20 years, Occ: Student,
R/o: Yattinahalli M.K, Tq: Hirekerur,
Dist: Haveri.

.....Plaintiff

(By Sri. D.S.A.. Advocate)

-Vs-

1. The Director,
Pre-University Education Board,
Bengaluru.
2. The Deputy Director,
Pre-University Education Board,
Bengaluru.
3. The Thasildhar,
Hirekerur,
Hirekerur Taluk, Haveri District.



4. The Deputy Commissioner,
Haveri,
Haveri District.
5. The Secretary,
Karnataka Secondary Education Examination Board,
Bengaluru.
6. The D.D.P.I Haveri,
Dist: Haveri.
7. The B.E.O Hirekerur,
Tq: Hirekerur, Dist: Haveri.
8. The Registrar,
Haveri University,
Haveri Taluk, Haveri District.
9. The Head Master,
S.T.J.S.S. Higher Primary school,
Shantidhama, Hirekerur,
Hirekerur Taluk, Haveri District.
10. The Head Master,
D.R. Tambakada Boys High school,
Hirekerur, Hirekerur Taluk, Haveri District.
11. The Principal,
K.H. Patil P.U. College,
Hirekerur, Hirekerur Taluk, Haveri District.
12. The Principal,
Government First Grade College,
Hirekerur, Hirekerur Taluk, Haveri District.
13. The Chief Secretary,
Vidhana Soudha, Bengaluru.



.....Defendants

**(Defendant No.1 to 8 & 10 to 13 are represented by learned A.G.P.)
(Defendant No.9 is placed as exparte)**

* * * * *

Date of Institution of suit	09-12-2025		
Nature of suit	Suit for Declaration and mandatory injunction.		
Date of commencement of recording evidence.	18-06-2026		
Date of Judgment	03-07-2026.		
Total Duration	Year/s	Month/s	Day/s
	00	06	25

::J U D G M E N T ::

This suit is filed by the plaintiff against defendants for relief of declaration of his surname, parents name & place of birth and mandatory injunction directing the defendants to rectify the same.

2. In brief, the facts of case are as follows:

The plaintiff is a permanent resident of Yattinahalli village, Hirekerur taluk residing with his parents. The plaintiff was born on 15-09-2005 at Kelagara Hospital, Ranebennur, Ranebennur taluk,



Haveri district and he has studied from 1st to 7th standard in the school of the 9th defendant from 2011-12 to 2017-2018 under school registration No.02/2011-12 and the 7th defendant is the Block Education Officer of the 9th defendant's school area and the 6th defendant is the Deputy Director of Education Department, 4th defendant is the Deputy Commissioner of Haveri District and plaintiff has studied his 8th to 10th standard in the 10th defendant school from 2018-19 to 2020-21 and the plaintiff has studied his 1st & 2nd PUC education from 2021-22 to 2022-23 in the college of 11th defendant and further plaintiff has studied his 3-year B.Com degree from 2023-24 to 2025-26 in the college 12th defendant. The 5th defendant is the Secretary of the Karnataka Secondary Education Examination Board and the 1st defendant is the Director of Pre-University Education Board, Bangalore and the 2nd defendant is the Deputy Director of Pre-University Education Board, Bangalore and the 3rd defendant is the Tahsildar, Hirekerur and the 13th defendant is the Chief Secretary, who is representing the Government of Karnataka



3. Further, it is averred that, while admitting the plaintiff to the school of the 9th defendant, the surname of plaintiff mentioned in Kannada as Vinaya B. Vadenapura is correct, but in English, the surname of the plaintiff is wrongly entered as VINAYA. B. VADENPUR by oversight. But the correct surname of plaintiff is VINAYA. B. VADENAPUR and the name of plaintiff's father is wrongly entered as Basavarajappa V by oversight and the correct name of plaintiff's father is Basavaraj Vadenapura is correct. Similarly mother name of plaintiff is wrongly entered as Sharada by oversight and the correct name of the mother of plaintiff is Sharada S. Kittadahalli and the birthplace of plaintiff is wrongly mentioned as Kadenandihalli, Tq: Shikaripura, G: Shivamogga due to oversight and the correct birthplace of plaintiff is Kelagar Hospital, Ranebennur, Tq: Ranebennur, Dist: Haveri. It is further averred by the plaintiff that, even though plaintiff's father wrote the correct birthplace as Kelagar Hospital, Ranebennur, Tq: Ranebennur, Dist: HAVERI, the defendants have not mentioned it. It is further averred by the plaintiff that, even though the father of plaintiff has given the correct surname of plaintiff and the names of plaintiff's parents



and the place of birth correct, the 9th defendant has deliberately and wrongly entered the surname, father's name, mother's name and place of birth of the plaintiff wrongly at the time of enrolling him in their school. The plaintiff, through his counsel has served a notice on the defendants through registered post on 26-08-2025 to correct the surname, parents name and the place of birth by removing the incorrect entry and the name of the parents, surname and place of birth as per the records of the plaintiff. The said notices have been served on the defendants. The 4th, 6th and 12th defendants of the suit have replied to the said notice and have replied on the basis that they will make the correction only if they get a decree order from the court and the remaining defendants have not given any reply and have not yet corrected the surname, parents name and the place of birth of the plaintiff as mentioned in the notice. Therefore, without left option plaintiff has filed this present suit.

4. After registering the suit, suit summons were issued to defendants. Though sufficient time has been granted, the



defendant No.9 has not come forward before the court, hence the defendant No.9 is placed as Ex-parte. The defendant No.1 to 8 & 10 to 13 have appeared through learned A.G.P.. Defendant No.7 has filed written statement which is adopted by the defendant No.1 to 6, 8 and 10 to 13, wherein they have denied the case of plaintiff and have contended that they have entered surname of plaintiff's family, name of plaintiff's parents and place of birth as per the information given by his parents and have further contended that plaintiff has sought only rectification of his surname, name of plaintiff's parents and place of birth and mere suit for rectification of his surname, name of plaintiff's parents and place of birth in all his educational records without seeking declaration is not maintainable and no cause of action arose to file the present suit. Hence, on all these grounds they prayed to dismiss the suit.

5. On the basis of the above pleadings and documents placed on record the following issues are framed.



- 1) Whether plaintiff proves that, his name is Vinaya B Vadenapur, his father name is Basavaraj Vadenapur, his mother name is Sharada S Kittadahalli and he was born at Kelagar hospital at Ranebennur Taluk, Haveri District?
- 2) Whether plaintiff further proves that, defendant No.9 to 12 have wrongly entered his place of birth, name of plaintiff and his parents name in his school/college educational records?
- 3) Whether defendants prove that, suit of the plaintiff is not maintainable as contended in their written statement?
- 4) Whether plaintiff is entitled for the reliefs as sought for ?
- 5) What order or decree?

6. In order to prove the case of plaintiff, he himself got examined as PW.-1 and got marked 16 documents at Ex.P-1 to P-17. On the contrary though defendant No. 1 to 8 and 10 to 13 have



filed their W.S. but have not lead any defendant evidence on their behalf and defendant evidence is taken as nil.

7. Heard the arguments of both learned counsel for plaintiff and AGP, perused material documents and evidence placed on record.

8. Upon hearing the arguments and on perusal of the material documents and evidence placed on record, my findings on the above issues are as under:

Issue No.1: In the Affirmative.

Issue No.2: In the Affirmative.

Issue No.3: In the Negative.

Issue No.4: In the Affirmative.

Issue No.5: As per the final order,
for the following:

:: REASONS ::

9. Issues No.1, 2 & 4: I have taken issue No.1 to 4 together for common discussion as they are inter linked with each other in order to avoid repetition of facts and circumstances of this case and for common appreciation of evidence. The plaintiff in order to substantiate his case he himself got examined as PW-1 and sworn



affidavit in lieu of his examination-in-chief by reiterating the contents of the plaint and got marked documents at Ex.P1 to P17. Ex.P1 is the C/c of birth certificate, Ex.P2 is aadhar card of plaintiff, Ex.P3 & 4 are aadhar cards of plaintiff's parents, Ex.P5 is 10th marks card of plaintiff, Ex.P6 is study certificate of 1st standard to 7th standard, Ex.P7 is study certificate of 8th standard to 10th standard, Ex.P.8 is study certificate of PUC college, Ex.P9 is study certificate of degree college, Ex.P10 is SSLC certificate, Ex.P11 is PUC certificate, Ex.P12 is office copy of legal notice, Ex.P13 is 13 postal receipts, Ex.P.14 is 11 postal acknowledgements, Ex.P15 to 17 are reply notices of defendant No.6, 4 & 12.

10. It is the specific case of the plaintiff that his surname has been wrongly entered in his educational records as VINAYA. B. VADENPUR, name of plaintiff's parents as Basavarajappa V and Sharada and place of birth as Kadenandihalli, Tq: Shikaripura, G: Shivamogga instead of his surname as VINAYA. B. VADENAPUR, name of plaintiff's parents as Basavaraj Vadenapura and Sharada S. Kittadahalli and place of birth as Kelagar Hospital,



Ranebennur, Tq: Ranebennur, Dist: Haveri. The plaintiff further deposed that he has approached the defendants and requested them to rectify his surname, parents name & place of birth in his educational records issued by them, but the defendants have not rectified the same. On the contrary, though defendants have denied the case of plaintiff, but has not lead any amount of evidence in order to prove their version.

11. The plaintiff further deposed that the cause of action arose on 26-08-2025 when notices were served on defendants and when they refused to rectify.

12. The plaintiff in support of his case has produced the documents at Exs.P.1 to 17. Ex.P1 is the C/c of birth certificate, Ex.P2 is aadhar card of plaintiff, Ex.P3 & 4 are aadhar cards of plaintiff's parents, Ex.P5 is 10th marks card of plaintiff, Ex.P6 is study certificate of 1st standard to 7th standard, Ex.P7 is study certificate of 8th standard to 10th standard, Ex.P.8 is study certificate of PUC college, Ex.P9 is study certificate of degree college, Ex.P10 is SSLC certificate, Ex.P11 is PUC certificate, Ex.P12 is office copy of legal notice, Ex.P13 is 13 postal receipts,



Ex.P.14 is 11 postal acknowledgements, Ex.P15 to 17 are reply notices of defendant No.6, 4 & 12.

13. Therefore, on perusal of Ex.P.12 in order to rectify his surname, parents name & place of birth in his educational records plaintiff has approached the defendants, but the defendants have refused.

14. I have gone through the oral and documentary evidence lead on behalf of the plaintiff. The surname, parents name & place of birth of the plaintiff have been wrongly entered in educational records of plaintiff. Thus oral evidence adduced and the documents furnished by the plaintiff along with suit reveals that the surname, parents name & place of birth of plaintiff have been wrongly entered in his school educational records as VINAYA. B. VADENPUR, name of plaintiff's parents as Basavarajappa V and Sharada and place of birth as Kadenandihalli, Tq: Shikaripura, G: Shivamogga wherein plaintiff surname, parents name & place of birth is VINAYA. B. VADENAPUR, name of plaintiff's parents is Basavaraj Vadenapura and Sharada S. Kittadahalli and place of



birth is Kelagar Hospital, Ranebennur, Tq: Ranebennur, Dist: Haveri.

15. Therefore, the oral as well as documentary evidence placed by the plaintiff discloses that, the surname, parents name & place of birth of plaintiff have been wrongly entered in his educational records. In view of refusal by the defendants, if his surname, parents name & place of birth is not rectified, he will be put to irreparable loss and hardship. Hence, this court is of the considered view that, the plaintiff has successfully proved his case by adducing oral and documentary evidence that his parents name & place of birth is VINAYA. B. VADENAPUR, name of plaintiff's parents is Basavaraj Vadenapura and Sharada S. Kittadahalli and place of birth is Kelagar Hospital, Ranebennur, Tq: Ranebennur, Dist: Haveri and defendants have wrongly entered his surname, parents name & place of birth of plaintiff have VINAYA. B. VADENPUR, name of plaintiff's parents as Basavarajappa V and Sharada and place of birth as Kadenandihalli, Tq: Shikaripura, G: Shivamogga instead of name as VINAYA. B. VADENAPUR, name of



plaintiff's parents is Basavaraj Vadenapura and Sharada S. Kittadahalli and place of birth is Kelagar Hospital, Ranebennur, Tq: Ranebennur, Dist: Haveri. in his educational records. There is no doubt that the surname, parents name & place of birth of the plaintiff is wrongly mentioned in the educational records of plaintiff. Further, from oral and documentary evidence adduced at Ex.P.1 to 17, wherein on cumulative reading of documentary as well as oral evidence of the plaintiff goes to show that in the educational records of plaintiff, the surname, parents name & place of birth of the plaintiff is wrongly entered. Now the plaintiff brought the instant suit seeking declaration of his surname, parents name & place of birth of plaintiff and rectification of the same in his educational records and he has succeeded in proving this issue. Now this court has relied on the *decision of Hon'ble High Court of Karnataka Bench at Dharwad in R.S.A. No.5214/2011 (Kumar Kallappa Mallappa Mali and Another V/s State of Karnataka and Others) decided on 02.03.2017*, wherein it is held that the trial Court in respect of declaration of surname and mandatory injunction and rectification of school records is permitted. In the



instant suit, the plaintiff has sought only the relief of declaration of his surname, parents name & place of birth of plaintiff and rectification of the same in his educational records.

16. The plaintiff has also sought for the relief of mandatory injunction to direct the defendant to rectify the surname, parents name & place of birth of the plaintiff in the educational records of plaintiff. In order to meet the ends of justice and to safeguard the interest of plaintiff it is just and necessary to direct the defendants to rectify the surname of plaintiff in his educational records. Hence, the plaintiff is entitled for rectification of plaintiff's surname, parents name & place of birth in his educational records issued by defendants. **Accordingly, I answer Issues No.1, 2 & 4 in the Affirmative.**

17. Issue No.3: In order to prove this issue by defendant No.1 to 8 & defendant No.10 to 13 have pleaded in their written statement that, suit of the plaintiff is not maintainable, but they have not lead any defendant evidence on their behalf, except mere suggestion made during cross examination of PW1. Therefore, any



amount of pleadings by defendant No.1 to 8 & defendant No.10 to 13 without any evidence is of no use and cannot be looked into. Thus defendant No.1 to 8 & defendant No.10 to 13 have failed to prove by leading cogent & documentary evidence that suit of the plaintiff is not maintainable. **Accordingly, I answer Issues No.3 in the Negative.**

18. ISSUE NO.5: In view of discussion made in detail while answering issues No.1 to 4 and for the reasons thereunder, I proceed to pass the following:

:: O R D E R ::

The suit of the plaintiff is hereby decreed.

It is hereby declared that, the surname of the plaintiff is VADENAPUR, name of plaintiff's parents are Basavaraj Vadenapura and Sharada S. Kittadahalli and place of birth of plaintiff is Kelagar Hospital, Ranebennur, Tq: Ranebennur, Dist: Haveri.



The defendants are hereby directed to rectify the surname of the plaintiff as VADENAPUR, name of plaintiff's parents as Basavaraj Vadenapura & Sharada S. Kittadahalli and place of birth as Kelagar Hospital, Ranebennur, Tq: Ranebennur, Dist: Haveri in the educational records of plaintiff and provide certificates by receiving prescribed fees as per law.

Looking to the facts and circumstances of the case, no order as to costs.

Draw the decree accordingly.

(Dictated to the stenographer directly on computer, typed by him, corrected and then pronounced by me in the open court on this the 03rd day of July, 2026)

(BASAVARAJ NESARAGI)
1st Addl., Civil Judge & JMFC,
Hirekerur

:: A N N E X U R E ::

List of witnesses examined on behalf of plaintiff:

PW.1 : Vinaya. Basavaraj Vadenapura



List of exhibited documents marked on behalf of plaintiff.

- Ex.P.1 : C/c of Birth certificate
Ex.P.2 : Aadhar card of plaintiff
Ex.P.3 & 4 : Aadhar cards of plaintiff's parents
Ex.P.5 : 10th marks card of plaintiff
Ex.P.6 to 9 : Study certificates
Ex.P.10 : SSLC certificate
Ex.P.11 : PUC certificate
Ex.P.12 : Office copy of legal notice
Ex.P.13 : 13 postal receipts
Ex.P.14 : 11 postal acknowledgements
Ex.P.15 to 17 : Reply notices of defendant No.6, 4 & 12.

List of witnesses examined on behalf of defendants.

- Nil -

List of documents marked on behalf of defendants.

- Ex.D.1 : PUC Admission application form
Ex.D.1(a) : Selected part of admission register

(BASAVARAJ NESARAGI)
1st Addl., Civil Judge & JMFC,
Hirekerur

KAHV410020192025





**(Judgment pronounced in the open
court vide separate Judgment)**

ORDER

The suit of the plaintiff is hereby decreed.

It is hereby declared that, the surname of the plaintiff is VADENAPUR, name of plaintiff's parents are Basavaraj Vadenapura and Sharada S. Kittadahalli and place of birth of plaintiff is Kelagar Hospital, Ranebennur, Tq: Ranebennur, Dist: Haveri.

The defendants are hereby directed to rectify the surname of the plaintiff as VADENAPUR, name of plaintiff's parents as Basavaraj Vadenapura & Sharada S. Kittadahalli and place of birth as Kelagar Hospital, Ranebennur, Tq: Ranebennur, Dist: Haveri in the educational records of plaintiff and provide certificates by receiving prescribed fees as per law.

Looking to the facts and circumstances of the case, no order as to costs.

Draw the decree accordingly.

KAHV410020192025



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O.S.No.397/2025

**I Addl. Civil Judge & JMFC.,
Hirekerur**