

KAKB620000222026



Presented on : 08-01-2026
Registered on : 09-01-2026
Decided on : 23-04-2026
Duration : 0 years, 3 months, 15 days

IN THE COURT OF CIVIL JUDGE AND JMFC., JEWARGI.

**Present:- Sri.Kashinath V. Uppar, B.Sc., LL.B.,
Civil Judge and JMFC, Jewargi.**

Dated : This the 23rd day of April-2026

O.S.No.08/2026

PLAINTIFF:-

Madivalappagouda S/o Nagendra Muradi,
Age: 18 years, Occ: Student,
R/o Kummanasirasagi, tq: Yadrami,
dist: Kalaburagi.

(By Sri. B.B., Advocate)

V/s

DEFENDANTS :-

1. The Commissioner of Kalaburagi.
2. The Head master,
Government Primary School Section of Belur,
tq: Jewargi.
3. The Head master of ADNAD High School,
Jeratagi, tq: Jewargi.
4. The Principal of ADND PU College,
Jeratagi, tq: Jewargi.
5. The BEO of Education department, Jewargi,

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6. The Deputy Direction of Public Instruction
(DDPI) of Kalaburagi.

(D-1 to 6 by Sri. A.G.P., Adv)

Date of Institution of the suit	08-01-2026
Nature of the suit	Declaration & Injunction
Date of commencement of recording of evidence.	02-04-2026
Date on which the judgment pronounced.	23-04-2026
Total Duration	Year/s Month/s Days 00 03 15

(Kashinath V. Uppar)
Civil Judge & J.M.F.C.,
Jewargi.

J U D G M E N T

This is a suit filed by the Plaintiff against the Defendants seeking the relief of Declaration and Consequential relief of Mandatory Injunction.

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

That the plaintiff has successfully completed his education in the institutions of 2nd & 3rd defendant. Plaintiff has completed his education i.e. 1 to 8th standard in the school of 2nd defendant, 9th & 10th

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standard in the school of 3rd defendant. Now he is studding pre University College in the college of 4th defendant.

3. That in the school records of plaintiff his mother name was mentioned as Bhagamma instead of Umashree that too without his parents knowledge. Plaintiff father was employee of KSRTC. He died on 23/02/2025 leaving behind his legal heirs. Recently, plaintiff applied before the KSRTC department for the job under the compassionate appointment scheme. During verification of records plaintiff came to know that, his mother name was wrongly mentioned in his school records as Bhagamma instead of Umashree.

4. That, soon after the knowledge, plaintiff on 10/2/2025 has orally requested the school authority to make corrections in his school records. In turn they have shown their inability for want of court decree to make necessary correction in the school records of plaintiff. The KSRTC Department has also declined to consider the plaintiff's application for compassionate appointment until the correction of his mother's name

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in the school records is carried out. With these grounds plaintiff constrained to file this suit.

5. After issuance summons defendant No.1 to 6 are appeared through learned AGP and defendant No.2 to 5 filed the written statement as under:

6. The suit filed by the plaintiff is against the law and facts and is a time-barred suit. Therefore, it is liable to be dismissed. It is true that, plaintiff has studied from class 1 to 8 in the school of the defendant No. 2 i.e., Government Model Primary School, Belur, Ta: Jevargi, dist: Kalaburagi. The plaintiff was admitted in the said school by entering all the information of the name, date of birth, caste, religion of the plaintiff's parents and all the information was registered in the school records following the said admission application. Defendants denied that, while obtaining the name of the plaintiff in the admission application and in relation to the name of the plaintiff's mother is mentioned as Bhagamma in the school records as per the information given by the plaintiff's guardian. And further denied that, the name of the plaintiff's mother is wrongly mentioned as

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Bhagamma instead of Umashree without the knowledge of the parents by the defendant-2.

7. Defendant further contended that, the plaintiff's father died on 23-02-2025 while serving in the State Transport Department and the plaintiff applied for the job on compassionate grounds after his father's death, and the entire burden of proving the same lies with the plaintiff. Defendant further contended that, the plaintiff studied in the 2nd defendant's school from 1st to 8th class, and after completing the 8th class and getting admission in the 9th class in the defendant No.5, the plaintiff and the teachers themselves filled in the re-admission application and submitted the application in which the plaintiff also entered his mother's name as Bhagamma and got admission. Therefore, the plaintiff has complete information and has filed a false claim that the information has been received recently. The plaintiff's claim are completely false. The plaintiff's father's K.S.R.T.C. The plaintiff has now moved to change the name of the mother because the names of his father in the service records could not be changed. The plaintiff's suit is time-barred. Because the plaintiff already knew that the entries in his school records and

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he had received a progress report or mark sheet and a transfer letter every year when he went to the next class and enrolled from the 2nd defendant school to the 5th defendant school. The plaintiff knew at that time. With these grounds the Defendants have sought for dismissal of the suit.

8. On the basis of the above said pleadings, the following Issues have been framed:

ISSUES

1. *Whether the Plaintiff proves that, his mother's correct name is Umashree W/o Nagendra and not Ghagamma as entered in the school records ?*
2. *Whether the plaintiff proves that, the entry of his mother's name as Bhagamma in the school records was made wrongly or by mistake ?*
3. *Whether the plaintiff is entitled relief as sought in the plaint ?*
4. *What order or decree?*

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9. The Plaintiff has filed affidavit evidence in lieu of examination-in-chief and got marked the 05 documents vide Exs.P-1 to Ex.P-5.

10. Learned AGP submits no defendants side evidence on their behalf. Hence, matter is posted for arguments.

11. Heard the arguments of the learned counsels appearing for the parties and perused the materials on record.

12. My answers to the above said Issues are as under:-

Issue No.1 : In the Affirmative.

Issue No.2 : In the Affirmative.

Issue No.3 : In the Affirmative

Issue No.4 : As per final order for the following:-

REASONS

13. **Issue No.1 to 3:-** These issues are take to together for for common discussion to avoid the repetition of the facts.

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It is the specific case of the Plaintiff that the plaintiff has successfully completed his education in the institutions of 2nd & 3rd defendant. Plaintiff has completed his education i.e. 1 to 8th standard in the school of 2nd defendant, 9th & 10th standard in the school of 3rd defendant. Now he is studying pre University College in the college of 4th defendant. That in the school records of plaintiff his mother name was mentioned as Bhagamma instead of Umashree that too without his parents knowledge. Per contra, defendants take a contentin that, as per instruction of the parents of the plaintiff, the name of plaintiff, caste, date of birth, residential and father and mother mentioned in the school records of the plaintiff.

14. The Plaintiff has filed affidavit evidence in lieu of examination-in-chief as PW-1. The PW-1 in his examination-in-chief has deposed in consonance with the plaint averments. The PW-1 in order to substantiate his oral evidence has got marked the documents vide Exs.P-1 to Ex.P-5. Ex.P-1 is the Aadhaar-card of the plaintiff, Ex.P-2 is the original SSLC marks-card wherein the mothers name of the plaintiff is mentioned as Bhagamma, Ex.P-3 is the transfer certificate which is issued by the defendant

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No.4 wherein the name of mother of plaintiff mentioned as Bhagamma. Ex.P-4 is the Aadhaar-card of mother of plaintiff by name Umashree W/o Nagendra and Ex.P-5 is the death certificate of father of plaintiff by name Nagendra, the said document disclose that, the father of plaintiff was died on 23-02-2025 and his wife name mentioned as Umashree. The learned AGP take a contention that, with the instruction of the parents of the plaintiff the defendants were mentioned the plaintiff's mother name in the school records. On perusal of the documents produced by the plaintiff it crystal clear that, the correct name of mother was Umashree and the defendants are wrongly mentioned the mother name of plaintiff as Bhagamma. Therefore, this court is of the opinion that, the correct mother name of plaintiff is Umashree and same is rectified by the defendants in the school records of the plaintiff. Therefore, plaintiff is entitled for the relief of declaration and mandatory injunction against the defendant that the correct mother name of plaintiff is Umashree and defendant is rectify the mother name of plaintiff as Umashree in the school records whenever, mentioned in Bhagamma. Hence, I answer Issue No.1 to 3 in the Affirmative.

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15. **Issue No.4:-** In view of answers on Issues No.1 to 3, this Court proceeds to pass the following:

ORDER

Suit of the Plaintiff is decreed.

No order to costs.

It is declared that the correct name of the mother of the Plaintiff is "Umashree".

Further, the Defendants are hereby directed to rectify the Plaintiff's mother name as "Umashree", wherever it is mentioned as "Bhagamma" in the educational records.

Draw the decree accordingly.

(Dictated to the stenographer directly on computer, after typing, corrected, signed and then pronounced by me in the open Court this 23rd day of April- 2026)

(Kashinath V. Uppar)
Civil Judge & J.M.F.C.,
Jewargi.

ANNEXURE

List of Witnesses examined for the Plaintiff:

PW.1 : Madivalappagouda S/o Nagendra Muradi

List of Witnesses examined for the Defendants:

-- N I L --

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**List of Documents exhibited for the Plaintiff:**

- Ex.P.1 : Aadhaar-card of the plaintiff
Ex.P-2 : Original SSLC marks-card
Ex.P-3 : Transfer certificate
Ex.P-4 : Aadhaar-card of mother of plaintiff
Ex.P-5 : Death certificate of father of plaintiff

List of Documents exhibited for the Defendants:

-- N I L --

(Kashinath V. Uppar)
Civil Judge & J.M.F.C.,
Jewargi.

Dictated on : 23-04-2026
Transcribed on : 23-04-2026
checked on : 23-04-2026
Signed on : 23-04-2026

(Kashinath V. Uppar)
Civil Judge & J.M.F.C.,
Jewargi.

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