



IN THE COURT OF CIVIL JUDGE AND J.M.F.C., SEDAM

PRESENT: Sri. Balu
B.A., LL.B.,
Civil Judge & JMFC, Sedam.

Dated this the 06th of March-2026

Criminal Misc. No.2560 of 2025

PETITIONER:

Banu Begum D/o Moulan Sab
Age: 44 years, Occ: Household
R/o Itkal village, Tq: Sedam
Dist: Kalaburagi.

(By Sri. R.B., Advocate)

//Vs.//

RESPONDENT:

The Tahasildar Sedam, Tq: Sedam and
Registrar of birth and death

:O R D E R S:

The petitioner has filed present petition U/Sec.13(3) of Registration of Birth and Deaths Act, 1969 seeking an order of direction to the respondent to make entry in regard to her date of birth in the concerned birth register.

2. Brief facts of petitioner case:-

It is averred in the petition that the petitioner by name Banu Begum D/o Moulan Sab born on 01-01.1981 at petitioner's house Itkal village in Sedam Taluka. The petitioner's parents could not informed the said birth event to the respondent office. Therefore, the name and her birth date was not entered in the Birth Register of respondent. Now the birth certificate of her is required for the



purpose of Government benefit and other purpose. The petitioner has requested the respondent office to issue birth certificate. After due enquiry the respondent has given non availability certificate stating that the date of birth of her is not entered in the concerned Birth Register. Therefore, petitioner constrained to file this petition.

3. After institution of this petition notice is issued to the respondent, reported as served, remained absent.

4. In order to prove her case petitioner herself examined as PW.1 and got marked Ex.P.1 to P.5 documents.

5. Heard arguments of Learned Advocate for petitioner.

6. Perused the materials of this petition.

7. The point that arise for the consideration of this court is as here under:-

1. Whether the petitioner has made out grounds to allow the petition?

2. What order?

8. My answer to the point No.1 is in the Affirmative and for point No.2 as per final order for the following:-

:R E A S O N S:

9. Point No.1:- This is a petition filed by the petitioner U/Sec.13(1) Birth and Death Registration Act 1969 seeking order



from this court to issue direction to the respondent to enter her date of birth in the concerned birth register of respondent. The petitioner has stepped into witness box and examined as PW.1. The said witness has also deposed that due to unavoidable circumstances her parents could not managed to enter the said birth event to the respondent office. The petitioner has produced Non-availability certificate which is marked as Ex.P.1 and it discloses that the birth event of petitioner was not entered in the Birth Registrar of respondent. The petitioner has also produced Age declaration certificate which is marked as Ex.P.2 and Notarized copies of Aadhar card, Voter ID card and Ration card which are compared with the original and returned the original to the petitioner at the time of evidence and the copies of Aadhar card, Voter ID card and Ration card are marked as Ex.P.3 to 5. In Ex.P.3 it has been mentioned the date of birth of the petitioner as 01.01.1981. The entire evidence of PW.1 remained unchallenged. There is no contra materials available as to disbelieve the case of the petitioner. The petitioner herself has admitted that due to unavoidable circumstances petitioner parents could not register the birth event. Therefore as per provision of Sec.13(3) of Birth and Deaths Register Act 1969 as provided by law the respondent authority is competent authority to make entry of birth of the petitioner by obtaining order of this court. Therefore as provided by law it is just and necessary to order directing the respondent authority who in turn shall make date of birth of petitioner in the birth register by collecting late fees as provided by law. Therefore, in the opinion of this court the petitioner has made out ground to



allow the petition. Therefore, Point No.1 is answered in the **Affirmative.**

10. Point No.2:- For the reasons stated herein above, I proceed to pass the following:-

:ORDER:

The petition filed under Section 13(3) of Registration of Birth and Deaths Act, 1969 is hereby allowed.

*The respondent office is hereby directed to make entry in regard to birth of petitioner by name **Banu Begum D/o Moulan Sab** who was born on **01-01-1981** at petitioner house **Itkal village**, Sedam Taluka after collecting necessary late fees if any from petitioner.*

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

(Directly dictated to the Stenographer on computer script, Computerized by her, corrected and then pronounced by me in the open court on this the 06th day of March-2026)

**Sd/-
(Balu)
C.J. & JMFC, Sedam.**

ANNEXURE

List of witnesses examined on behalf of Petitioner:

PW.1 : Banu Begum D/o Moulan Sab

List of exhibits marked on behalf of Petitioner:

Ex.P.1 : Non-availability certificate issued by the Tahashildar Sedam

Ex.P.2 : Age certificate

Ex.P.3to5 : Notarized copies of Aadhar card, Voter ID card and



Ration card

List of witnesses examined on behalf of Respondent:

- N I L -

List of witnesses and exhibits marked on behalf of Respondent:

- N I L -

**Sd/-
(Balu)
C.J. & JMFC, Sedam.**
