

KAKL200023292026



**IN THE COURT OF I ADDL. CIVIL JUDGE & J.M.F.C. AT
BANGARPET**

:: PRESENT ::

SRI. CHANDRASHEKHAR ALABUR,

B.A., LL.B., (Hons)

I ADDL., CIVIL JUDGE & JMFC., BANGARPET.

C.M.C. NO.589/2026

DATED THIS 4th DAY OF JULY 2026

PETITIONER:

Ziaulla Shariff,

S/o Mahaboob Shariff and

Sabiha Begum,

Aged about 49 years,

R/at # 3017/2,

Opp., Nava Chethna School and College,

Tippu Nagar, Bangarpet Town,

Bangarpet Taluk, Kolar District.

(Rep., by **Sri. Syed Akbar** Advocate)

-V/S-

RESPONDENT:

The Registrar of Birth and Death,

Rptd., by its Chief Officer,

Bangarpet Taluk.

(Absent)

:O R D E R:

The petitioner has filed the petition under Section 13(3) of Registration of Births and Deaths Act, 1969 seeking

issuance of direction to the respondent to issue the birth certificate of the petitioner.

2. In the petition, the petitioner has stated that, he was born on 02.02.1977 at his parents' residence in # 3017/2, Nava Chethna School, Tippu Nagar, Bangarpet Town, Bangarpet Taluk.

3. It is stated that the birth particular of petitioner is not registered in the concerned registry maintained by the respondent due to over sight and lack of knowledge. It is stated that the respondent has not registered the birth of the petitioner. It is stated that the petitioner applied for issuance of birth certificate of himself it was found that birth particulars was not found to be entered in the concerned registry. The respondent issued the non-availability certificate to that extent. Accordingly, the petitioner has prayed to allow the petition.

4. The respondent is placed ex-parte since they have not appeared before the Court despite service of notice.

5. The petitioner by name Sri. Ziaulla Shariff examined himself as P.W.1 and got marked 3 documents as Exs.P.1 to P3 to prove his case. The cross-examination of P.W.1 is taken as nil.

6. I have heard the argument of learned counsel for the petitioner and perused the materials.

7. The points for consideration are as under:-

1. Whether the petitioner has made out sufficient grounds to allow the petition ?
2. What Order ?

8. The answers to points above are:-

Point No.1 : In the **Affirmative.**

Point No.2: As per final order.

REASONS

9. POINT NO.1:- The petitioner has submitted that he was born on 02.02.1977 at # 3017/2, Opp., Nava Chethna School and College, Tippu Nagar, Bangarpet Town, Bangarpet Taluk, Kolar District-563114. It is further submitted that the petitioner requires birth certificate for future and other official purpose. P.W.1 has deposed as averred in the petition. Ex.P.1 is the non availability certificate issued by respondent on 10.02.2026. It shows that the birth particulars of the said Ziaulla Shariff is not entered in birth register. Ex.P.2 is the notarized copy of Aadhaar Card of PW1/petitioner. It shows that his date of birth is 02.02.1977 and father name is Mahaboob Shariff and also mentioned the above said cause title address. Ex.P3 is the notarized copy of SSLC marks card of petitioner, it reflect that his date of birth is 02.02.1977 and his father name is Mehaboob Shariff. The documentary and

oral evidence placed on record clearly shows that date of birth of the petitioner is not registered by the Respondent in the concerned Register as averred and deposed by the petitioner. Therefore, the petition needs to be allowed.

Hence, Point No.1 is answered in the Affirmative.

10. POINT NO.2:- In the light of the above discussion, I proceed to pass the following:-

ORDER

The petition filed by the petitioner U/Sec.13(3) of Karnataka Registration Birth and Deaths Act, 1969 is allowed.

The respondent is directed to register the date of birth of petitioner by name **Ziaulla Shariff S/o Mahaboob Shariff and Sabiha Begum** as on **02.02.1977** at **#3017/2, Opp., Nava Chethna School and College, Tippu Nagar, Bangarpet Town, Bangarpet Taluk Kolar District - 563114**, after collecting necessary fee.

*(Dictated to the Stenographer directly on the computer and print out taken by him on this **4th day of July 2026**)*

Sd/-

(CHANDRASHEKHAR ALABUR)

I Addl., Civil Judge & JMFC,
Bangarpet.

ANNEXURE

I. LIST OF WITNESSES EXAMINED FOR PETITIONER:-

PW.1 : Sri. Ziaulla Shariff,

II. LIST OF DOCUMENTS EXHIBITED FOR PETITIONER:-

Ex.P.1 : Non-availability Certificate

Ex.P.2 : Notarized copy of Aadhaar Card of PW1

Ex.P.3 : Notarized copy of SSLC Marks Card

III. WITNESS EXAMINED FOR THE RESPONDENT:-

-NIL-

IV. DOCUMENT MARKED FOR THE RESPONDENT:-

-NIL-

Sd/-

**I-Addl. Civil Judge & J.M.F.C.,
Bangarpet.**