

KAMD200007782026



**IN THE COURT OF THE I ADDL.SENIOR CIVIL
JUDGE AND J.M.F.C., AT KRISHNARAJAPETE.**

: PRESENT:

SRI. DEVARAJU H.R. BA., LLB.,
I ADDL. SENIOR CIVIL JUDGE & JMFC,
K.R.PETE.

DATED THIS THE 14th DAY OF JULY-2026

C.MIS.NO.104/2026

PETITIONER/S:

KUM. M. VARSHA
D/O H.N. MURULIDHAR,
AGED ABOUT 23 YEARS,
R/O UGINAHALLI VILLAGE,
KIKKERI HOBLI,
K.R.PETE TALUK,
MANDYA DISTRICT.

(BY SRI. MNS., ADVOCATE)

-V/S-

RESPONDENT:

THE CHIEF OFFICER,
MUNICIPAL OFFICE,
K.R.PETE TOWN.

(EXPARTE)

ORDER

This is a petition filed under Section 13(3) of Registration of Births and Deaths Act, directing the respondent to register the birth of the petitioner namely **Kum. Varsha D/o H.N. Murulidhara** as **14.01.2003**.

2. The petitioners submitted that she was born in her residence at Uginahalli village, Kikkeri hobli, K.R.Pete taluk on **14.01.2003**. Petitioner's family members are uneducated, hence they did not intimate the same to respondent and presumed that the same was intimated. Petitioner came to know the fact that the date of birth is not forthcoming in the concerned register, only when the respondent gave non-availability certificate. The birth certificate is necessary for apply the passport and her future education purpose. Hence, the petitioner filed this petition to enter her date of birth as **14.01.2003** in concerned registers of the respondent office.

3. After filing the petition notice has been issued to the respondent and it was served personally. But, the respondent remained absent and placed *ex-parte*.

4. In order to prove the case, the petitioner examined as P.W.1 and got marked document a Ex.P.1.

5. Heard the argument advanced by the learned counsel for the petitioners.

6. On the basis of the above stated facts following points arise for court's consideration:

1. **Whether the petitioner is entitled for the direction to the respondent to enter her date of birth as 14.01.2003 in the Register of Births maintained in the office of the respondent?**

2. **What Order?**

7. The Court answers to the above points are as under:

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

Point No.2: **As per the final order,**
for the following;

REASONS

8. **Point No.1:** The matter on record is that the respondent has not appeared before this court. In this case, even after service of notice on him, he placed exparte. This court came to know that the petitioner is the permanent resident of Uginahalli village. The family members not intimated the birth to the respondent orally. The petitioner has filed application to the respondent to issue date of birth certificate, but the respondent after search issued non-availability certificate stating that the date of birth particulars are not available. Now the birth certificate is necessary for

apply the passport and other purpose. Accordingly, the petitioner approached this court.

9. In order to prove the case, the petitioner gave evidence as P.W.1. In the evidence the petitioner has stated that petitioner was born at her residence on **14.01.2003**. At that time the matter of birth was orally informed to respondent's Office. Now the petitioner applied for the birth certificate. The respondent searched and informed that the petitioner's birth particulars were not entered in the birth register and gave the non-availability certificate to that effect & the same is marked as Ex.P1. P.W.1 in the affidavit stated that the date of birth of petitioner is **14.01.2003**.

10. The petitioner in support of the petition submitted the non-availability certificate. By looking to the non-availability certificate Ex.P.1. Further on enquired petitioner stated that her age proof and other purpose. Accordingly, the same is proved from the oral and documentary evidences and the court is of the opinion that the date of birth of petitioner by name **Kum. Varsha D/o H.N. Murulidhara** is **14.01.2003**. Therefore, the petitioner is entitled for the direction from this court against the respondent as prayed in the petition. Hence, this court answers point No.1. in the **affirmative**.

11. Point No.2: In view of foregoing reasons on point No.1, the court proceeds to pass the following;

ORDER

The petitioner filed by the petitioner U/sec. 13(3) of Registration of Birth and Deaths Act is hereby allowed.

Issue direction to the respondent to register the date of birth of the petitioner as given below:

Name : Kum. Varsha

Father's Name: H.N.Murulidhara,

Date of Birth : 14.01.2003

Place of Birth: Uginahalli village,

Kikkeri hobli,

K.R.Pete Taluk,

Mandya district.

In the Register of births maintained by the respondent, after payment of necessary fee.

(Dictated to the Typist directly on the computer, typed by her, corrected and then pronounced by me in open court, this the **14th** day of **July-2026**)

(DEVARAJU H.R.)

I Addl. Sr.CJ & JMFC.,
K.R.Pete.

ANNEXURE

List of witnesses examined for the petitioner:

P.W.1 : Kum. M.Varsha.

List of witnesses examined for the respondent:

-Nil-

List of exhibits marked for the petitioner:

Ex.P.1 : Non-availability Certificate.

List of exhibits marked for the respondent:

-Nil-

**I Addl. Sr.CJ & JMFC.,
K.R.Pete.**

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