

KAMD500003322026



**IN THE COURT OF THE 1st ADDL. SENIOR CIVIL JUDGE &
J.M.F.C.**

AT : NAGAMANGALA

DATED THIS THE 9th DAY OF APRIL, 2026

:PRESENT:

SRI.NARASIMHA MURTHY M.

B.A.LLM., UGC – NET, JRF,

Ist ADDL. SENIOR CIVIL JUDGE & JMFC, NAGAMANGALA.

Crl.Misc.No.32/2026

PETITIONER/s : **Arjun R.** S/o C.M.Ramegowda,
Aged about 38 years,
R/o Anechannapura village,
Bindiganavile hobli,
Nagamangala Taluk,
Mandya District.

(By Sri. **J.K.Rameshgowda** Advocate)
Vs

RESPONDENT/s : **The Tahasildar,**
Nagamangala Taluk.

(Ex-Parte)

* * * * *

ORDER

The petition filed by the petitioner under Section 13(3)
under the Registration of Births and Deaths Act, 1969. Since

respondent placed Ex-Parte, objection is not filed to the said petition.

2. The petitioner's case in brief as follows:-

The petitioner by name **ARJUN R. S/o C.M.RAMEGOWDA** born on 12.12.1987 at Anechannapura village, Bindiganavile hobli, Nagamangala Taluk. The father of the petitioner applied for his son birth certificate before the concerned authority. But the respondent issued Non-availability certificate dated 23.02.2026. The father of the petitioner informed the birth of petitioner to the concerned authority, but the birth particulars of **ARJUN R. S/o C.M.RAMEGOWDA** were not entered in concerned records. The petitioner required birth certificate to produced TAPCMS, Nagamangala and in his Aadhar card also his date of birth was wrongly mentioned as 12.12.1988 instead of 12.12.1987 and also produced the said authority to change of date of birth of the Aadhar card. Hence, the petitioner filed the present petition and prays to direct the respondent authority to register the birth of **ARJUN R. S/o C.M.RAMEGOWDA** who born on 12.12.1987 to issue birth certificate.

3. The respondent remained absent and proceedings made Ex-parte.
4. The petitioner in order to substantiate his case, the petitioner himself examined as PW1 and got marked Ex.P1 to Ex.P5.
5. Heard the arguments and perused the records.
6. Now the points that arise for consideration of this Court is:-

1. Whether the petitioner is entitled to the relief as sought for ?

2. What order ?

7. My findings on the above points is as under :-

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

Point No.2 : As per final order for the following :-

REASONS

8. **Point No.1** :- In order to prove the contention of the petition, the petitioner has been examined himself as PW1 and in the affidavit he has reiterated the petition averments. PW1 also produced five documents. Ex.P1 is the Non

Availability Certificate with reference to the date of birth of **ARJUN R. S/o C.M.RAMEGOWDA** which is not in records of the Tahasildar, Registrar of Births and Deaths, Nagamangala Taluk, Ex.P2 is the family tree. Ex.P3 is the true copy of Marks card. Ex.P4 is the true copy of Aadhar card. Ex.P5 is the True copy of Transfer Certificate.

9. Specific case of the petitioner is that, the petitioner born on 12.12.1987, but same is not entered under the register of Births & Deaths maintained by the respondent authority. The respondent authority has issued Non-availability certificate as per Ex.P1 stating that, there is no record of birth of **ARJUN R. S/o C.M.RAMEGOWDA**. The said document issued by the respondent authority clearly discloses that birth of **ARJUN R.** is not entered in the concerned register.

10. In the present case on hand, the petitioner through oral and documentary evidence has established that, the birth of **ARJUN R. S/o C.M.RAMEGOWDA** on 12.12.1987 is not entered in the concerned register maintained by the respondent authority. There is no reason to disbelieve the oral and documentary evidence of petitioner in the absence

of any contra evidence. Hence based on the above reasons, the petition is deserves to be allowed. With this observation, point No.1 is answered in the **AFFIRMATIVE**.

11. Point No.2:- For the aforesaid reasons & discussions made above, the Court would like to pass the following :-

ORDER

The petition filed by the petitioner under Section 13(3) of the registration of Births and deaths Act, 1969 is hereby allowed.

The respondent is hereby directed to make entry of date of birth of **ARJUN R. S/o C.M.RAMEGOWDA** R/at Anechannapura village, Bindiganavile hobli, Nagamangala Taluk, as 12.12.1987 in the register of Births and Deaths after taking prescribed fee.

(Dictated to the Stenographer, computerized by him, Order corrected and signed by me, then pronounced by me in the Open Court on this the 9th day of April, 2026).

(NARASIMHA MURTHY. M)

Ist ADDL. SENIOR CIVIL JUDGE & JMFC.,
NAGAMANGALA.

ANNEXUREList of witnesses examined on behalf of petitioner/s:-

PW-1 : Arjun R.

List of documents marked on behalf of petitioner:-

Ex.P1 : Non-availability Certificate
Ex.P2 : Family tree
Ex.P3 : True copy of marks card
Ex.P4 : True copy of Aadhar card
Ex.P5 : True copy of Transfer Certificate

List of witnesses examined on behalf of respondent:-

- NIL -

List of witnesses examined on behalf of respondent:-

- NIL -

(NARASIMHA MURTHY. M)

Ist ADDL. SENIOR CIVIL JUDGE & JMFC.,
NAGAMANGALA.