

KAMD510003782026



**IN THE COURT OF I ADDITIONAL CIVIL JUDGE AND JMFC,
NAGAMANGALA**

Dated this 16th day of April 2026

Present: SRI. K.P. SIDDAPPAJI. B.A., L.L.B.,

I Addl. Civil Judge and JMFC.,
Nagamangala.

Criminal Miscellaneous No.52/2026

Petitioner : M.R. Rajappa S/o Ramegowda,
Aged about 49 years,
R/o. Manchapattana Village,
Honakere Hobli,
Nagamangala Taluk,

(By Sri. T.C.C. Advocate)

-V/S-

Respondent : The Tahasildar,
Nagamangala.

(Exparte)

O R D E R

The Petitioner has filed this petition U/S.13(B) of Births and Deaths Registration Act 1969.

2. The petitioner case in brief as follows :

The petitioner was born on 20-06-1977 at Manchapattana village, Honakere Hobli, Nagamangala Taluk, Mandya District. The petitioner's parents had

informed the birth of their son to the above said authority for enter the same in the birth register immediately after the birth of their son. But the respondent has not entered the same in the birth and death registrar. Now the petitioner filed an application for seeking her birth certificate to the respondent on 23-03-2026. But the respondent has given an endorsement dated 23-03-2026 stating that no entry is made in the birth register of petitioner.

3. Further stated that, the petitioner is required her birth certificate for renewal of his passport and future necessities. Hence petitioner filed this petition.

4. On service of petition notice, the Respondent has remained absent, hence he has been placed Ex-parte.

5. The Petitioner is examined as PW.1 and got marked documents as per Ex.P1 to Ex.P5.

6. Heard the arguments

7. Now the points that arise for the consideration are :

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

2. What order ?

8. The findings of this court to the above points are as under:

Point No.1 : In the Affirmative.

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

REASONS

9. **Point No.1** : In support of his case, the petitioner has filed affidavit evidence in lieu of his examination in chief as PW.1. In her evidence he has stated that, he was born 20-06-1977 at Manchapattana village, Honakere Hobali, Nagamangala taluk, Mandya District. Further deposed that at the time of birth of his, his parents informed in the respondent authority, but the birth of his is not entered in the birth and death register. Further deposed that the birth certificate of his is necessary to submit the same before the concerned authority for renewal of his passport and future necessities. When he applied for the birth certificate, the Respondent authorities has issued non-availability certificate. PW 1 has produced the non availability certificate at Ex.P1, School study certificates at Ex.P2 and 3, attested copy of the passport at Ex.P4 and attested copy Aadhara Card at Ex.P5. The evidence of petitioner has remained unchallenged and unrebutted without under going the test of the cross-examination. Hence this court is of the opinion that the petitioner has established that he was born on 20-06-1977 and entitle for the relief as sought for. **With these observations this court has answered point No.1 in the Affirmative.**

10. **Point No. 2:** For the aforesaid discussion on point No.1, this court proceed to pass the following :

ORDER

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

The Respondent is hereby directed to make enter the date of birth of petitioner's by name **M.R. Rajappa S/o Ramegowda and Chikthayamma, as 20-06-1977** at Manchapattana

village, Honakere Hobali, Nagamangala Taluk, in the register Birth and Death after taking prescribed fee.

(Dictated to the stenographer on computer and typed by him, revised, corrected and then pronounced by me in open court on this 16th day of April , 2026)

(K.P. Siddappaji)
I Addl. Civil Judge and J.M.F.C.
Nagamangala.

ANNEXURE

List of witnesses examined on behalf of Petitioner:

PW.1 : M.R. Rajappa

List of witnesses examined on behalf of Respondent:

- NIL -

List of documents marked on behalf of Petitioner:

Ex.P.1 : Non-availability certificate.

Ex.P.2 and 3 : School study certificates

Ex.P.4 : Attested copy of the passport

Ex.P.5 : Attested copy of the Aadhar Card

List of documents marked on behalf of Respondent:

- NIL -

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Nagamangala.