

KAMS310001322026



Crl.Misc./57/2026

**IN THE COURT OF PRL. CIVIL JUDGE AND  
JMFC, HUNSUR**

**:PRESENT:**

**SMT.AYISHABI.P.MAJID., B.A., L.L.B.,  
Prl. Civil Judge & JMFC  
Hunsur**

**Dated this the 09<sup>th</sup> day of April, 2026**

**Crl.Misc.No.57/2026**

<b><u>Petitioner :-</u></b>	Lobsang Tenzin S/o Late.Sonam Phuntsok and Late.Chodon Age: 49 years, R/at House No.24, Serpon Monastery, Bylakuppe Post, Periyapatna Taluk, Mysuru District.  <b>(Represented by Sri. K.B., – Adv)</b>
<b>V/s</b>	
<b><u>Respondent:-</u></b>	The Tahasildar, Registrar of Birth and Death, Hunsur Taluk, Hunsur.  <b>(Absent)</b>

## **ORDERS**

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

2. For the reasons stated in the petition, the petitioner has prayed for issuance of direction to the respondent to register his birth event as 08.02.1977.
3. In spite of service of notice, the respondent was called out absent and as such his objection was considered as nil. The matter was posted for enquiry of the petitioner later.
4. In order to substantiate his case, the petitioner has got examined as P.W.1 and got marked documents at Ex.P.1 to Ex.P.3. Thereafter, the petitioner closed evidence on his behalf.
5. Heard the learned counsel for the petitioner. Perused the materials on record.
6. The points that arise for the consideration of the court are:

### **POINTS**

***1. Whether the petitioner is entitled for the relief sought?***

***2. What order?***

7. On consideration of the materials placed on record, this court answers the aforesaid points as hereunder:

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

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

## REASONS

8. **Point No.1:** As aforesaid the petitioner has got examined as P.W.1 and reiterated the petition averments in his examination-in-chief. The PW-1 in support of his case has relied upon Ex.P.1 to Ex.P.3. Ex.P.1 is the non-availability certificate issued by the office of the respondent, Ex.P.2 is the Notarized copy of Aadhar Card, Ex.P.3 is the endorsement.

9. Ex.P.1 goes to show that, the birth event of petitioner is unregistered. Ex.P.2 and 3 are goes to show that, the date of birth of the petitioner Lobsang Tenzin S/o Late.Sonam Phuntsok and Late. Chodon, is 08.02.1977. The oral and documentary evidence produced by P.W.1 have remained unrebutted and unchallenged. As such this court has no other alternative than to accept the reliable evidence adduced by the petitioner. Further in the event of allowing the said petition no other person will be put to any type of loss or injustice. Thus this court is of the opinion that, the petition deserves to be allowed. Accordingly, Point No.1 is answered in the ***Affirmative.***

10. **Point No.2:** In the light of the aforesaid observation, this court proceeds to pass the following:

**ORDER**

*The petition filed U/s 13 (3) of The Registration of Births and Deaths Act, 1969 is hereby allowed.*

*The respondent is hereby directed to make proper entry in respect of date of birth of petitioner Lobsang Tenzin S/o Late.Sonam Phuntsok and Late.Chodon is 08.02.1977 at Gurupura, Hunsur Taluk, Mysuru District after collecting the prescribed fee from the petitioner.*

*No order as to cost.*

*(Dictated directly to the Stenographer on computer, typed by her, corrected, signed and then pronounced by me in the open court this 09<sup>th</sup> day of April, 2026)*

**(AYISHABI.P.MAJID)**  
**Prl. Civil Judge & JMFC.,**  
**Hunsur.**

**ANNEXURES****1. List of witness examined on behalf of petitioner:**

P.W.1 : Lobsang Tenzin S/o Late.Sonam Phuntsok  
and Late.Chodon

**2. List of documents examined on behalf of petitioner:**

Ex.P.1 : Non- availability certificate.  
Ex.P.2 : Aadhar card  
Ex.P.3 : Endorsement

**3. List of witness examined on behalf of respondent:**

- N I L -

4. List of documents examined on behalf of respondent:

- N I L -

(AYISHABI.P.MAJID)  
Prl. Civil Judge & JMFC.,  
Hunsur.