

KAMS410019082025



**IN THE COURT OF PRINCIPAL CIVIL JUDGE & JMFC.,  
KRISHNARAJANAGARA**

**PRESENT**

**Sri. Chandan S., B.Com., L.L.B**  
**Principal Civil Judge & JMFC, Krishnarajanagara.**

**Dated 26<sup>th</sup> day of March 2026**

**O.S./419/2025**

**PLAINTIFFS** : Sri.Rohith.G.S.  
S/o Siddeshwara Prasad.G.K.  
Aged about 21 years,  
R/at # Siddeshwara Nilaya,  
Akkamahadevi Hallada Road,  
Basaveshwara Block, K.R.Nagar Town,  
K.R.Nagr Taluk, Mysuru District.

**[By: Sri. B.M., Advocate]**

**-V/s-**

**DEFENDANTS** : 1. The Chief Secretary,  
Government of karnataka,  
Vidhana Soudha, Bengaluru.

2. The Commissioner,  
Education Department,  
Bengalure.

3. The Commissioner of Public Instructions,  
Government of Karnataka,  
Multi Store Building,

Dr.Ambedkar Beedhi,  
Bangalore-1.

4. The Deputy Director of  
Public Instructions,  
Mysore Division,  
Primary and Higher Primary,  
Muda Circle, Mysore Town,  
Mysore District.
5. The Deputy Director of  
Public Instructions,  
Madikeri Division,  
Mysore District – 571201,
6. The Deputy Director of  
Public Instructions,  
Mandya Division,  
Subhash Nagar, Mandya Town,  
Mandya District – 571404.
7. The Block Education Officer,  
K.R.Nagar Education Department,  
Madhuvanahalli Road,  
K.R.Nagar Town, Mysore District – 571602.
8. The Block Education Officer,  
Mysore Rural Education Department,  
Chamundipuram Mysore – 570004.
9. The Block Education Officer,  
Virajpet Education Department,  
Madikeri Virajpet Road,  
Virajpet Town, Madikeri District – 571218
10. The Block Education Officer,  
Srirangapatna Education Department,  
Srirangapatna Taluk, Mandya District.
11. The Head Master,

St. Joseph's Convent School,  
K.R.Nagar Town & Taluk,  
Mysore District – 571602.

12. The Head Master,  
Kautilya Vidyalaya,  
J Block, No.9, 13<sup>th</sup> Main Road,  
Kanakadas Nagar, Dattagalli 3<sup>rd</sup> Stage,  
Mysuru – 570023.
13. The Head Master,  
Karaumbiah's Academy for Learning,  
And Sports, South Kodagu, (KALS)  
# P.B.No.23, Gonikoppal, South Kodagu,  
Gonikoppal Town,  
Madikeri District – 571213
14. The Principal,  
De Paul International Residential School,  
Belagola, Srirangapatna Taluk,  
Mandya District.
15. The Chief Executive and Secretary,  
Indian Certificate of Secondary Education  
(Class-X),  
#P35-36, Sector VI, Pushp Vihar, Saket,  
New Delhi- 110017.
16. The Chief Executive and Secretary,  
Indian School Certificate Examination,  
(Class-XII),  
Pragati House, 3<sup>rd</sup> Floor, 47-48,  
Nehru Place, New Delhi-110019.
17. The Regional Officer,  
ICSE Regional Office,  
Degree College Building #05,  
Heserghatta Main Road,  
Chimney Hills, Aivarkhandpur,

Chikbanavara, Banglore – 560090.

18. The Regional Officer,  
CISCE Regional Office,  
New No.3, Old No.1630 A,  
J-Block, 16<sup>th</sup> Main Road Anna Nagar West  
Chennai – 600040.
19. The Secretary,  
Karnataka Secondary Education,  
Examination Board,  
6<sup>th</sup> Cross, Malleshwaram,  
Bangalore-560003.
20. The Karnataka Pre – University,  
Examination Board,  
6<sup>th</sup> Cross Road, Malleshwaram,  
Bangalore-560003.
21. The Registrar of Birth and Deaths  
Mysore City Corporation,  
Mysore.
22. The Tahsildar,  
K.R.Nagar Taluk, Mysuru District.

**[D5, D19 By A.G.P]**  
**[D14 By: Sri. S.T.K., Advocate]**  
**[D1 to D3, D12, D18 & D20 Ex-parte]**  
**[D17 By: Sri. N.S.M., Advocate]**  
**[D13, D16 Ex-parte]**  
**[D4, D6 to D11, D15, D21 and D22  
by A.G.P]**

Date of Institution of the suit	07.08.2025
Nature of the suit	Declaration
Date of the commencement of recording of the evidence	17.03.2026

Date on which the judgment was pronounced	26.03.2026		
Total duration	Years	Months	Days
	00	07	19

**(Chandan.S)**  
**Prl. Civil Judge & JMFC.,**  
**K.R.Nagar.**

**:: J U D G M E N T ::**

The suit has been filed seeking the relief of declaration to declare the plaintiff's correct name as Rohith De Aternus in all records. The plaintiff has also sought a consequential relief of mandatory injunction directing the defendants to rectify and substitute the plaintiff's name as Rohith De Aternus in place of Rohith.G.S in all relevant documents pertaining to the plaintiff.

**2. The brief facts of the plaintiff's case are as under:-**

According to the plaintiff, his name is Rohith.G.S., S/o Siddeshwara Prasad G.K., and he was born on 08.09.2005 at a private hospital in Mysore. The plaintiff is a permanent resident of Siddeshwara Nilaya, Akka Mahadevi Hallada Road, Basaveshwara Block, K.R.Nagar, Mysore District.

**3.** It is further stated in the plaint that, the plaintiff completed his UKG, and 1<sup>st</sup> to 3<sup>rd</sup> standard at St. Joseph Convent School, K.R.Nagar. Thereafter, he pursued his middle school education from 4th to 6th standard at the 9th defendant institution,

namely Kautilya Vidyalaya, Mysore. He continued his high school education from 7<sup>th</sup> and 8<sup>th</sup> standard at the 10<sup>th</sup> defendant institution, namely Karaumbiah's Academy for Learning and Sports. Subsequently, the plaintiff completed his 1<sup>st</sup> and 2<sup>nd</sup> PUC at the 11<sup>th</sup> defendant institution, namely De paul International Residential School, Mandya, and is presently pursuing his degree in the same institution.

**4.** The plaintiff submits that, in the first week of June 2023, his parents, acting in good faith and with the intention of securing his well-being and future prospects, consulted reputed astrologers regarding his future. Pursuant to such consultation, it was advised that, for the plaintiff's overall prosperity, success, and well-being, it would be beneficial to change and rectify his name. Accordingly, the plaintiff decided to adopt the name Rohith De Aternus in place of Rohith G.S. in accordance with his personal and family beliefs.

**5.** Thereafter, the plaintiff approached defendants No.8 to 11 with a formal request to carry out necessary corrections and update his name in their respective official school records. However, the said defendants orally declined the request, stating that such rectification could not be effected without the plaintiff obtaining a declaratory decree from a competent civil court.

6. The plaintiff further submits that, in the present digital era, where public and private records are extensively computerized and interlinked, non-reflection of his changed name Rohith De Aternus instead of Rohith.G.S. in the educational records is likely to cause serious prejudice, irreparable hardship, inconvenience, and administrative complications in his day-to-day affairs and in establishing his legal identity.

7. Therefore, as advised by the defendants and having no other efficacious remedy, the plaintiff has approached this court seeking a declaration to declare his name as Rohith De Aternus instead of Rohith.G.S., and for a consequential relief of mandatory injunction directing the defendants to carry out necessary rectification in all educational records.

8. The defendants Nos.7, 14 and 18 have entered appearance through their respective counsel and have filed their separate written statements, wherein they have specifically denied and disputed the plaint averments in toto.

**9. The pleadings of the written statement of the defendant No.7 as follows:**

In response, Defendant No.7 has filed his statement of objections contending that at the time of admission of the plaintiff into the 8<sup>th</sup> defendant institution, namely St. Joseph Convent School, the parents of the plaintiff had furnished his

name as Rohith.G.S. in the admission forms and supporting documents. Based on the said particulars and records so submitted by the parents, the name of the plaintiff was duly entered, recorded, and maintained in all the school records as Rohith.G.S..

**10.** It is further contended that, all subsequent educational institutions, including Defendant No.11, have consistently recorded the plaintiff's name as Rohith.G.S. on the basis of the original records furnished at the time of admission. Therefore, there is no error, mistake, or discrepancy on the part of the defendants in recording the plaintiff's name as Rohith.G.S. Hence, Defendant No.7 submits that, there is no fault, negligence, or obligation on the part of the defendants to carry out the proposed change of name, and accordingly, seeks dismissal of the suit.

**11. The pleadings of the written statement of the defendant No.14 as follows:**

Defendant No.14 has filed its statement of objections submitting that, it is an educational institution situated at Belagula, Srirangapatna Taluk, Mandya District, established in the year 2003, and has earned good reputation and goodwill in and around the locality. It is further stated that a large number of students enroll in the institution every academic year, and the

school is being administered efficiently, enjoying appreciation from both the students and parents.

**12.** The Defendant No.14 submits that, the plaintiff's earlier schooling up to 10<sup>th</sup> standard is not fully within its knowledge. However, it is admitted that the plaintiff has pursued his 1<sup>st</sup> and 2<sup>nd</sup> PUC at the institution of Defendant No.14, namely De paul International Residential School, Mandya, and is presently continuing his higher education in the same institution. It is further clarified that Defendant No.14, namely De paul International School, Mandya, has no objection to the change of the plaintiff's name from Rohith.G.S. to Rohith De Aternus, and leaves the matter to the discretion of this Court.

**13. The pleadings of the written statement of the defendant No.18 as follows:**

Further, defendant No.18 has entered appearance and filed its statement of objections contesting the suit. It is contended therein that the plaintiff's name, right from his nursery education, has consistently been recorded in all school records as Rohith.G.S., and all corresponding documents have been issued in the said name.

**14.** It is further contended that, the present suit seeking a declaration for change of name is not maintainable under law and is therefore liable to be dismissed. Additionally, Defendant

No.18 submits that, the plaintiff completed his 10<sup>th</sup> standard from Karaumbaiah's Academy for Learning and Sports, Gonikoppal, South Kodagu, which is not affiliated to the CBSE Board. Hence, the said defendant contends that, it is not in a position to take any action with regard to the request in respect of the name change. On these grounds, Defendant No.18 has prayed for dismissal of the suit.

**15.** The plaintiff in order to prove his pleadings of the plaint and to substantiate the suit, the plaintiff has personally appeared before this court and examined as PW-1 and produced and relied upon 8 documents which are marked and exhibited by this court as per Ex.P-1 to 8 respectively.

**16.** Per contra, in pursuance to suit, suit summons were issued to defendants, they have appeared through their advocates and learned A.G.P. and defendant No.7, 14 and 18 have filed their statement of objection.

**17.** Heard the counsel appearing for the plaintiff and the defendants. Further this court has also gone through the pleadings of the plaint, written statement and also verified the documents produced by either parties to the suit in respect of their pleadings.

**18.** On the basis of rival pleadings and documents available on the file of this court, this court has framed following issues:

**ISSUES**

- 1. Whether the plaintiff proves that, his name is original name is Rohith.G.S and his name is required to be modified, changed and altered as Rohith DE Aternus?**
- 2. Whether the plaintiff further proves that, the defendants in spite of the request of the plaintiff to rectify the name as Rohith DE Aternus instead of Rohith.G.S refused to do so?**
- 3. Whether the plaintiff is entitled for the relief of Declaration and other consequential, incidental reliefs claimed, requested and sought for in the suit?**
- 4. What order or decree ?**

**19.** This court's findings for the above issues in question are as under:

Issue No.1:	In the <b>Affirmative</b>
Issue No.2:	In the <b>Affirmative</b>
Issue No.3:	In the <b>Affirmative</b>
Issue No.4:	In the <b>Affirmative</b>
Issue No.5:	As per final order for the following:

**REASONS**

**20. ISSUE NO.1 TO 3:**

For the facts and circumstance of the suit are concern these issues are interlinked and to avoid the repetition of facts these issues are taken up together for common discussion.

**21.** Thereafter, the plaintiff, in order to substantiate and strengthen his case, stepped into the witness box and examined himself as PW.1. He filed his affidavit in lieu of examination-in-chief, reiterating the averments made in the plaint. In support of his case, the plaintiff has produced and relied upon 8 documents, which have been marked as Exhibits P1 to P8.

**22.** Ex.P1 is the statement of marks pertaining to the plaintiff, Ex.P2 is another statement of marks of the plaintiff herein, Ex.P3 is the caste certificate of the plaintiff, Ex.P4 is the birth certificate of the plaintiff, Ex.P5 is the progress report for the academic year 2010–11, relating to the plaintiff’s study at St. Joseph Nursery School. Ex.P6 is the progress report for the academic year 2017–18, issued by Karaumbaiah's Academy for Learning and Sports. Ex.P7 is the progress report for the academic year 2018–19, pertaining to the plaintiff’s study at Karaumbaiah's Academy for Learning and Sports Institute, Ex.P8 is the notarized Aadhaar Card of the plaintiff.

**23.** The case of the plaintiff is that, his name, which is presently recorded as “Rohith.G.S.” in all educational and allied records, is required to be changed to “Rohith De Aternus” in accordance with his personal choice and belief, based on advice received from astrologers for his well-being and future prospects. At the outset, it is relevant to note that the relief sought by the plaintiff

is not on the ground of any clerical or typographical error, but is a case of change of name by choice. It is well settled that a person is entitled to change his name, provided such change is not for any fraudulent or illegal purpose, and subject to compliance with procedural requirements.

**24.** In the present case, the plaintiff has entered the witness box as PW.1 and has reiterated the averments made in the plaint. His testimony has remained unchallenged and unshaken, as there is no material contradiction elicited in the course of cross-examination. The documentary evidence produced by the plaintiff under Ex.P1 to P8 clearly establishes that the name “Rohith.G.S.” has been consistently recorded in all his educational and identity documents. Exhibit P4, the birth certificate, and Exhibit P8, the Aadhaar Card, further corroborate his identity.

**25.** Thus, the identity of the plaintiff as “Rohith.G.S.” is not in dispute. The only question that arises is whether he is entitled to seek a declaration for change of name to “Rohith De Aternus.” The defendants, particularly Defendant No.7 and Defendant No. 18, have contended that there is no mistake on their part in recording the name and that the suit is not maintainable. This contention, in the considered opinion of this Court, cannot be accepted.

**26.** It is true that the defendants have recorded the name of the plaintiff based on the information furnished at the time of admission, and therefore, no fault can be attributed to them. However, the present suit is not based on any fault or negligence on the part of the defendants, but is a request for recognition of a subsequent change of name. Further, Defendant No.14 has categorically stated that, it has no objection to the change of name and has left the matter to the discretion of the Court. This conduct supports the case of the plaintiff.

**27.** The contention of Defendant No.18 regarding non-maintainability of the suit is also not sustainable. A civil court has jurisdiction to grant a declaratory decree under Section 34 of the Specific Relief Act, declaring the legal character or right of a person. The name of a person is an essential facet of his identity and legal character. In the absence of any statutory prohibition, and when the plaintiff seeks recognition of his chosen name, the Court can grant such declaration, particularly when it does not adversely affect the rights of any third party.

**28.** Moreover, in the present digital era, as rightly contended by the plaintiff, consistency of identity across documents is of paramount importance. Any discrepancy in name may lead to complications in education, employment, and other civil transactions. There is no material placed on record by the defendants to show that the proposed change of name is for any

fraudulent purpose or with an intention to evade any liability. In the absence of such material, the request of the plaintiff appears to be bona fide. However, it is also to be noted that educational institutions maintain records based on rules and regulations prescribed by statutory authorities. Therefore, while granting the relief, it is necessary to direct the plaintiff to comply with all procedural requirements such as publication in Official Gazette, affidavit, and other formalities, if required by the concerned authorities.

**29.** In view of the above discussion, this Court is of the considered opinion that the plaintiff has successfully proved that he intends to adopt the name “Rohith De Aternus” and is entitled for declaration and consequential relief of mandatory injunction. Hence, **Issue No.1 to 3** are answered in the '**Affirmative**'.

**30. ISSUE NO.4:**

In view of the findings on Issue No.1 to 3, this Court proceeds to pass the following:-

**:: O R D E R ::**

The suit filed by the plaintiff is hereby decreed with costs.

It is hereby declared that the name of the plaintiff shall be “Rohith De Aternus” instead of “Rohith.G.S.”.

The defendants are hereby directed, by way of mandatory injunction, to rectify and substitute the name of the plaintiff as “Rohith De Aternus” in place of “Rohith.G.S.” in all relevant educational records pertaining to the plaintiff, subject to the plaintiff complying with necessary formalities, if any, as required under law.

No order as to costs.

Draw decree accordingly.

[Dictated to the Steno, transcribed by him, corrected by me and pronounced in the Open Court this the 26<sup>th</sup> day of March 2026]

**(Chandan.S)**  
**Prl. Civil Judge & JMFC.,**  
**K.R.Nagar.**

### **A N N E X U R E**

**1. List of witnesses examined for plaintiff:-**

PW-1 - Rohith.G.S.

**2. List of documents marked for plaintiff :-**

Ex.P-1 - Statement of marks  
Ex.P-2 - Another statement of marks  
Ex.P-3 - Caste certificate of the plaintiff  
Ex.P-4 - Birth certificate of the plaintiff  
Ex.P-5 to 7 - Progress report  
Ex.P-8 - Notarized Aadhaar Card of the plaintiff

**3. List of witnesses examined for Defendants:- NIL**

**4. List of documents marked for Defendants:- NIL**

**(Chandan.S)  
Prl. Civil Judge & JMFC.,  
K.R.Nagar.**