

**IN THE COURT OF THE PRL. CIVIL JUDGE & JMFC
NANJANGUDU**

PRESENT

Sri Sathisha K.G., B.A. LL.B.,
Principal Civil Judge & JMFC.,
Nanjangudu

Dated this the 25th day of April, 2026

Crl.Mis.No.540/2026

PETITIONER/S :: Sri. Mahadevappa. D.,
S/o Devappa,
Aged about 61 years,
R/at Hediya Village,
Hullahalli Hobli,
Nanjanagudu Taluk, Mysuru District.

[By : Sri. C.M. Chinnaswamy. Advocate]

V/s

RESPONDENT :: Tahasildar,
Registrar of Birth and Death,
Nanjanagudu Taluk,
Nanjanagudu.

[Exparte]

ORDERS

The petitioner has filed this petition U/s.13 of Karnataka Registration of Births and Deaths Act, 1969, seeking direction to the respondent to enter his date of birth in the Births and Deaths Register maintained by the respondent.

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

The petitioner-Sri. Mahadevappa. D, claims that, he was born on 20.08.1965 at Hediya Village, Hullahalli Hobli,

Nanjangud Taluk and due to ignorance of his parents, his date of birth was not registered in the Births Register maintained by the respondent.

3. The petitioner is required his Birth Certificate to obtain Government facilities. In this regard, the petitioner submitted the representation to the respondent to issue his birth certificate. For the said representation, the respondent has issued Non-availability Certificate. Hence, the petitioner has filed this petition with prayer to issue direction to the respondent to enter his date of birth in the register maintained by the respondent.

4. In pursuance of the filing of this petition, the notice came to be issued to the respondent. In spite of service of notice, the respondent failed to appear and has acquired the status of *exparte*.

5. In order to prove his case, the petitioner got examined himself as PW.1 and got marked documents at Ex.P.1 to Ex.P.4. The respondent neither adduced evidence nor got marked any documents.

6. Heard arguments of learned Counsel appeared for the petitioner.

7. The following points would arise for Court consideration:-

1. Whether the petitioner proves that his date of birth, i.e., 20.08.1965 has not been entered in the concerned register maintained by the Office of respondent?
2. Whether the petitioner is entitled for the relief sought for?
3. What order?

8. Findings to the above points are as under:-

Point No.1 : In the Affirmative

Point No.2 : In the Affirmative

Point No.3 : As per final order
for the following:-

REASONS

9. **POINT NO.1 AND 2:-** Since these points are inter-related with each other and to avoid repetition taken together for discussion.

10. It is the definite case of the petitioner that, he was born on 20.08.1965 at Hediya Village, Hullahalli hobli, Nanjangud Taluk and due to ignorance of his parents, his date of birth was not registered in the concerned Authority maintained by the respondent. These factual allegations made in the petition

reiterated by the petitioner, who has been examined as PW.1. To substantiate his contention, he has also produced Non-availability Certificate issued by the respondent at Ex.P1, School Admission Register extract at Ex.P2, PAN Card at Ex.P3 and Aadhaar Card at Ex.P4. On perusal of Ex.P2 and 3 shows that, his date of birth has been shown as 20.08.1965.

11. As noted supra, even after service of notice, the respondent failed to appear. Therefore, the respondent has placed exparte. The oral and documentary evidence placed on record by the petitioner remains unchallenged and unrebutted and there is nothing on record to disbelieve the case of the petitioner. The oral and documentary evidence placed on record establishes that, birth date of petitioner was not entered by the respondent in the concerned register. Therefore, in the considered opinion of this Court that, the petitioner is entitled for an order as prayed in the petition. Accordingly, Point No.1 and 2 are answered in the **Affirmative**.

12. POINT NO.3:- In view of the findings on Point No.1 and 2, this Court proceed to pass the following:-

: O R D E R :

The petition filed by the petitioner
U/s.13 of Karnataka Births and Deaths

Registration Act, is hereby allowed.

The respondent is hereby directed to register birth date of the petitioner Sri.Mahadevappa. D. S/o Sri.Devappa and Smt.Madamma as 20.08.1965 at Hediya Village, Hullahalli hobli, Nanjangudu Taluk, after collecting necessary late fee.

No order as to cost.

(Dictated to the Stenographer directly on Computer, typed by him, revised, corrected by me and then pronounced in the open Court on this the **25th day of April, 2026**)

[SATHISHA K.G.,]
PRL. CIVIL JUDGE & J.M.F.C.,
NANJANGUDU.

ANNEXURE

LIST OF WITNESSES EXAMINED FOR PETITIONER:-

PW.1 Sri. Mahadevappa. D..

LIST OF DOCUMENTS MARKED FOR PETITIONER:-

Ex.P.1 Non-availability Certificate.
Ex.P.2 Copy of School Admission register extract.
Ex.P.3 Copy of PAN Card.
Ex.P.4 Copy of Aadhaar Card.

LIST OF WITNESSES EXAMINED FOR RESPONDENT:-

--- N I L ---

LIST OF DOCUMENTS MARKED FOR RESPONDENT:-

--- N I L ---

[SATHISHA K.G.,]
PRL. CIVIL JUDGE & J.M.F.C.,
NANJANGUDU.