



Presented on : 18-02-2026
Registered on : 19-02-2026
Decided on : 12-05-2026
Duration : 0 years, 2
months, 22 days

IN THE COURT OF THE PRL.,CIVIL JUDGE & J.M.F.C, AT:
LINGASUGUR

PRESENT: SHRI. AMBANNA.K. *B.COM.,LL.B.*

CIVIL JUDGE & JMFC., LINGASUGUR

Cri.Misc.No.289/2026

DATED THIS THE 12th Day of May, 2026

BETWEEN:

Sri. Mohammed Shaha Alam

S/o Mohammed Murtuzasab,

Age: 64 years, Occ: Business.,

R/o. Lingasugur.,

Tq: Lingasugur, Dist: Raichur.,

...Petitioner

(By Sri.SKA., Advocate)

AND:

The Chief officer,

Birth and Death Registrar,

TMC Lingasugur,Tq:LINGASUGUR.

...Respondent



(Absent)

ORDER

The petitioner filed this petition U/sec.13(3) R/w 10(3) of the Karnataka Registration of Births and Deaths Act, 1969 by praying for issuance of direction to respondent to register the particulars of petitioner in register maintained by respondent date of birth of petitioner himself by name Mohammed Shaha Alam S/o Mohammed Murtuzasab, and date of birth is 15-03-1962, and the place of birth is at Lingasugur.

2. The case of the petitioner in brief is as follows:

The petitioner by name Mohammed Shaha Alam S/o Mohammed Murtuzasab, was born on 15-03-1962 at Lingasugur. Due to oversight and inadvertence of law, the parents of petitioner had not informed the date of birth of petitioner to register before the concerned authorities. Recently, he applied for the birth certificate of himself before the respondent. Then he came to know that the date of birth of himself was not registered. Hence, he prayed to issue direction to respondent to register the date of birth of himself as 15-03-1962 in the birth register.

3. The petitioner filed this petition. This court registered this petition and issued notice to the respondent. In spite of service of notice, the respondent has not appeared in this case.



4. The petitioner examined himself as PW-1 and documents got marked as Ex.P1 to 3 . The cross-examination by respondent taken as nil due to his non-appearance and the respondent evidence also taken as nil.

5. Heard the counsel for petitioner.

6. The following points arise for my consideration.

1. Whether the petitioner shown sufficient cause for issuance of direction as prayed for?

2. What order?

7. My answers to the above points are as under:

Point No.1 : In the Affirmative.

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

REASONS

8. **POINT NO.1:** The petitioner filed this petition for issuance of direction to respondent to register the date of birth of petitioner.

9. In order to prove the case, the petitioner examined himself as PW-1 and filed his evidence by way of affidavit in lieu of examination-in-chief and documents got marked as Ex.P1 to 3. The Petitioner reiterated the contents of petition in his chief-examination.



10. The Ex.P1 i.e., non-availability certificate reveals that the date of birth of himself by name Mohammed Shaha Alam S/o Mohammed Murtuzasab was not registered in birth register maintained by the respondent dated 28-01-2026. Ex.P2 is the copy of Adhar card, Ex.P3 is the Transfer certificate. These documents also clearly establish the details furnished by the petitioner in respect of petitioner. He has proved the existence of petitioner by producing Ex.P-1 to 3.

11. The petitioner submitted that he is ready to pay fine and late fee as prescribed under the Registration of Births and Deaths Rules. The respondent has not appeared and cross-examined PW-1 and also not adduced his evidence. It shows that the respondent has no evidence to dispute the date of birth of himself by name Mohammed Shaha Alam S/o Mohammed Murtuzasab. The petitioner is residing within the jurisdiction of this court. The evidence of the petitioner remain unchallenged. Hence, I am of the opinion that, the petitioner has proved that himself by name is Mohammed Shaha Alam S/o Mohammed Murtuzasab and he was born on 15-03-1962 at Lingasugur. Hence, ***I answer the Point No.1 in the Affirmative.***

12. POINT NO.2 : In view of the above discussion, I proceed to pass the following;



ORDER

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

The respondent is hereby directed to enter the particulars of birth of the petitioner by name as Mohammed Shaha Alam S/o Mohammed Murtuzasab, date of birth as 15-03-1962 and place of birth as, Lingasugur in the concerned register after collecting the late fee as per law.

(Dictated to the stenographer directly on computer, typed by her, corrected by me, then pronounced by me in the open court on 12th day of May 2026).

Sd/-

(Ambanna K.)

Prl. Civil Judge & JMFC.,
Lingasugur.

: ANNEXURE:

Witnesses examined for the Petitioner:

PW.1 : Mohammed Shaha Alam

Witnesses examined for the respondent:

- Nil-

**Documents marked for the Petitioner:**

Ex.P.1 : Non-Availability Certificate
Ex.P.2 : Copy of Adhar card.
Ex.P3 : Copy of Transfer certificate

Documents marked for the respondent:

- Nil-

Sd/-

(Ambanna K.)

Civil Judge & JMFC., Lingasugur.

