

IN THE COURT OF CIVIL JUDGE & J.M.F.C.,
AT Manvi

Anand H. Konnur

B.Com.,LL.B.,

Civil Judge & JMFC, Manvi

Dated; This The 19th Day of June-2026

Crl. Misc. No.387/2026

Petitioner:

Smt.Kalyani W/o Devananda,
age: 31 years, occ: Labour,
R/o: Ward No.7, Ambedkar Nagar,
Kavital,
Tq: Sirwar (Manvi), Dist: Raichur.

(By Sri.Shivakumar Advocate)

- V/s -

Respondent:

The Town Panchayat Kavital

(Placed Ex-parte)

ORDER ON PETITION FILED U/Sec.13(3) OF
REGISTRATION OF BIRTHS AND DEATHS
ACT

The petitioner has filed present petition U/Sec.13(3) of Births & Deaths Act-1969, seeking direction to respondent to enter the birth date of petitioner and to issue birth certificate of the same.

Brief facts of the case.

1. It is case of petitioner that, petitioner's son by name **Devanasha S/o Kalyani** was born on **27-09-2017** at Kavital village, Tq: Manvi, Dist: Raichur. The petitioner is under impression that their parents have given information to respondent authority for entering birth details in the concerned register, but same has not been done by their parents. This fact has come to the notice of petitioner, while the respondent authority has given non-availability certificate. Therefore the petitioner is compelled to file petition.
2. Upon duly service of notice on respondent, the respondent remained absent, hence respondent placed Ex-Parte.
3. Trial consisted of examination of petitioner as PW-1 and got marked Ex.P.1 Non-availability Certificate, Ex.P.2 Study certificate and Respondent placed exparte.
4. Heard learned Counsel for the petitioner at length.
5. Upon hearing arguments and on perusal of material placed on records, the following points arises for consideration:

**1. Whether petitioner has
made- out sufficient**

grounds for allowing the petition?

2. What order?

6. My answer to the above points are as under:

Point No.1. In the Affirmative

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

REASONS

7. **POINT No.1:** In order to prove her case, petitioner has examined as PW.1 and reiterated the petition contents in his examination-in-chief affidavit. The respondent has not filed any objections or not produced any documents to show that the petitioner has filed false petition. Therefore there is no reasons to disbelieve the evidence given by petitioner.

8. It is also trite that in a proceeding Under Section 13(1) (3) of Registration of Births and Deaths Act, court is concerned with the factum of birth or death and date of birth or death is not relevant. This proposition finds support from the ratio laid down by **Hon'ble High Court of Karnataka in 2000(4) KCCR 2674 (State of Karnataka V/S Smt. Annakk)**, which reads thus:

“REGISTRATION OF BIRTHS AND DEATHS ACT, 1969 - Section 13(3) - Direction to make an entry in the Birth Register by the Magistrate-Challenged on the ground, that except the statement of applicant on oath there was no other material.

Held: The Magistrate in a proceeding Under Section 13(3) only ascertains the birth of the child and date is not the material consideration, as such directions bind only the Registration Office under the Act to make an entry and does not carry higher probative value.”

9. Reverting to the factual matrix of the present case, petitioner's son by name **Devanasha S/o Kalyani** was born on **27-09-2017** at Kavital village, Tq: Manvi, Dist: Raichur. The materials placed by the petitioner is discloses that, the birth date of petitioner has not been entered in a concerned registered kept by respondent authority. Moreover no rival interested persons come forward to contest the petition. Hence in the light of principles emerges from the decision referred above, petition is deserved to be allowed. Therefore I answered, Point No.1 in the Affirmative.

10. **Point No.2:** For the foregoing reasons, I proceed to pass the following:

ORDER

**Petition filed Under
Section 13(3) of Registration
of Births and Deaths Act,
1969 is allowed.**

**Respondent is directed
to enter the birth details of
petitioner's son by name
Devanasha S/o Kalyani was
born on 27-09-2017 at Kavital
village, Tq: Manvi, Dist:
Raichur, in the concerned
register and to issue birth
certificate to the petitioner
after collecting necessary fee
and fine.**

(Dictated to the Typist directly on computer, typed by her,
corrected by me and then pronounced in open court on this the 19th day
of June-2026)

(Anand H. Konnur)
Civil Judge & J.M.F.C.,
Manvi.

:ANNEXURE:

List of witnesses examined on behalf of petitioner:

P.W.1 : Kalyani W/o Devananda

List of exhibited documents marked on behalf of petitioner:

Exh.P.1 : Non-availability certificate

Exh.P.2 : Study certificate

List of witnesses examined on behalf of respondent: -

Nil-

List of documents marked on behalf of respondent: -

Nil-

**Civil Judge & J.M.F.C.,
Manvi.**

**(ORDER PRONOUNCED IN THE OPEN
COURT VIDE SEPARATE SHEET)**

ORDER

Petition filed Under Section 13(3) of Registration of Births and Deaths Act, 1969 is allowed.

Respondent is directed to enter the birth details of petitioner's son by name Devanasha S/o Kalyani was born on 27.09.2017 at Kavital village, Tq: Manvi, Dist: Raichur, in the concerned register and to issue birth certificate to the petitioner after collecting necessary fee and fine.

**Civil Judge & J.M.F.C.,
Manvi.**