

The petitioner by name **Shiba Mandal** has filed the present petition to direct the respondent to enter the date of his birth **Shiba Mandal S/o Deelip Mandal, at RH No.5, Tq.Sindhanur** he has born on **30.03.2005** in the birth and death register and to issue birth certificate to the petitioner.

2.Heard arguments. The following point arises for my consideration:-

1)Whether the petitioner has made out ground to enter the date of his birth in the register of birth and death?

2)What order?

3. My answer to the above points are as under: -

Point No.1: Affirmative,

Point No.2: As per the final order,

REASONS

4. **Point No.1 :-** The petitioner examined as Pw-1 and he has deposed that he is born on **30.03.2005** at **RH No.5, Tq. Sindhanur**. Due to lack of knowledge and ignorance of the law he has not intimated to his birth to the concerned officer. His date of birth is not entered in birth and death registrar office. His birth certificate is required for the

purpose of taking Govt. benefits. In support of his contention he has produced Ex.P1 non-availability certificate issued by **Tahasildar, Sindhanur** which reveals that he is born on **30.03.2005 at RH No.5, Tq.Sindhanur** but his birth not entered in birth and death register.

5. In his evidence the Petitioner has reiterated the entire case made in the petition and got marked Ex.P1 and Ex.P2. Non-availability certificate issued by the Respondent is marked as Ex.P1. SSLC marks card issued by the concerned authority is marked as Ex.P2.

6. When the Petition and the evidence given before the court are looked into it appear that Petitioner is the resident of **RH No.5, Tq.Sindhanur** and he is born on **30.03.2005 at RH No.5, Tq:Sindhanur**. The petitioner and his family member were illiterate and not having worldly knowledge. When he approached the concerned authorities, they have insisted to produce his birth certificate, he

approached the respondent for getting birth certificate. But the respondent issued Ex.P1 non-availability certificate.

7. It is pertinent to note that, the Petitioner in his petition and also in his evidence affidavit has deposed that, he was an ill-iterate and because of lack of knowledge he could not furnish the information within the prescribed time to the Registrar Birth and Death for making necessary entry in the register. I perused the documents which are marked during evidence. I am satisfied with the reasons assigned by the Petitioner. Therefore I am of the opinion that the petition needs to be allowed. Hence point No.1 answered in **AFFIRMATIVE.**

8. **POINT NO.2 :-** For the foregoing reasons, I proceed to pass following

O R D E R

The Petition is allowed.

The Respondent is directed to make entries in the Birth register in respect of date of birth of **Shiba Mandal S/o Deelip Mandal born on 30.03.2005 at RH No.5, Tq. Sindhanur, Dist. Raichur** and collect late fee as per law.

The Respondent further directed to shall mention the present case number, name of petitioner and date of order in the birth register and also the birth certificate which will be consequently issued in pursuant to present orders.

(Dictated to the Stenographer directly on computer, computerized by her and corrected and then pronounced by me in the open court on 8th day of April 2026)

(Lakshmikanth J. Miskin)
Senior Civil Judge & J.M.F.C.,
Sindhanur.