



**IN THE COURT OF III ADDL. CIVIL JUDGE AND JMFC,
KANAKAPURA, AT: KANAKAPURA.**

**PRESENT: SHRI. RAVIPRAKASH T. AVIN,
B.B.A., LL.M.**

ORIGINAL SUIT No.302/2021

DATED ON THIS THE 06th DAY OF APRIL, 2026

PLAINTIFF: Ms. Anushree B.N. @ Anuja B.N.,
D/o. Nanjundegowda,
Aged about 21 years,
R/at: Baradanahalli Village,
Malagalu Post,
Kasaba Hobli,
Kanakapura Taluk,
Ramanagara District.

[By Sri. C.M.J., Advocate]

Vs

DEFENDANTS:

1. Government of Karnataka,
Represented by its Chief Secretary,
Vidhana Soudha,
Dr. Ambedkar Veedhi,
Bengaluru-560 001.
2. The J.D.P.I,
Office of the J.D.P.I,
Nrupathunga Road,
Bengaluru - 560 001.



3. The D.D.P.I,
Office of the D.D.P.I,
Ramanagara District,
Ramanagara.
4. The Vice Chancellor,
Bangalore University,
Central College Premises,
Bengaluru - 560 001.
5. The Director,
Pre-University Board,
Malleshwaram,
Bengaluru - 560 003.
6. The Secretary,
Karnataka Secondary Education
Examination Board,
5th Cross, Malleshwaram,
Bengaluru-560 003.
7. The Block Education Officer,
Kanakapura,
Kanakapura Taluk,
Ramanagara District.
8. The Principal,
Rural Degree College,
Rural Education Society Trust,
Kanakapura Town,
Ramanagara District.



9. The Principal,
Rural PU College,
Rural Education Society Trust,
Kanakapura Town,
Ramanagara District.
10. The Head Master,
Rural High School for Girls,
Rural Education Society Trust,
Kanakapura Town,
Ramanagara District.
11. The Head Master,
Dayananda Vasathi Vidya Shale,
Rural Education Society Trust,
Kanakapura Town,
Ramanagara District.
12. The Head Master,
Government Primary School,
Baradanahalli Village,
Kasaba Hobli
Kanakapura Taluk,
Ramanagara District.

**[D-8, 10, 11 by Sri. MG, Advocate;
Proceedings against D-1 to 5 and 7 are
Exparte]**

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Date of Institution of the Suit : 29.09.2021

Nature of the suit : For Declaration and
Mandatory Injunction

Date of the commencement of
recording of the evidence : 04.04.2026

Date on which the Judgment
was pronounced : 06.04.2026

Total Duration : Year/s Month/s Day/s
04 06 07

PRESIDING OFFICER

J U D G M E N T

The Plaintiff has filed this suit seeking a declaration to declare that her name is *Anushree B. N.* and her date of birth is *19.05.2000*, in all the records maintained by Defendant No. 8 to 12

2. The brief facts of the case of the Plaintiff are as under:

The Plaintiff was born on 19.05.2000 to her parents Nanjundegowda and Prema. Her correct name is Anushree B. N. At the time of admission of the Plaintiff to Defendant No. 12 school the father of the Plaintiff gave the name of the Plaintiff as Anuja B. N. and her date of



birth as 09.06.1999. The said mistake was not intentional and occurred due to bona fide reason. When the Plaintiff sought the Defendants to correct her name and date of birth vide legal notice dated: 19.03.2021, the Defendants have neither complied with the request nor issued any reply thereto. Therefore, the Plaintiff has filed this suit.

3. Upon service of summons, Defendant No. 1 to 7, 9 and 12 have remained absent and therefore, proceedings against the said Defendants are exparte. Defendant No. 8, 10 and 11 though have appeared through their counsel however have not filed written statement. Thereafter the case was posted for the Plaintiff's evidence.

4. Trial consisted of the examination of Plaintiff as PW1 who in all got marked documents Ex.P1 to Ex.P14 and closed her side.

5. Heard the learned counsel for the Plaintiff. Perused the oral as well as documentary evidence placed on record. The following points arise for my consideration;

1. Whether the Plaintiff proves that her correct name is Anushree B. N. and her correct date of birth is 19.05.2000?



2. Whether the Plaintiff is entitled for the relief sought for?

3. What order or decree?

6. In the facts and circumstances of the case, the findings of this Court on the above points are answered as under;

Point No.1 : Partly in the Affirmative

Point No.2 : Partly in the Affirmative

Point No.3 : As per final order

for the following;

REASONS

7. **POINT No. 1:** Before the discussing the facts on merits it is necessary to state the law regarding suit for declaration. In a suit for declaration there is heavy burden on the Plaintiff to establish her case based on documentary evidence and the Plaintiff cannot rely on the weakness of the Defendants. Keeping this in mind this court has to evaluate the evidence on record.

8. PW1 in her examination has reiterated the averments made in the plaint.

9. On perusal of the Ex.P5 to P8 the 10th standard, PUC and degree marks card of the Plaintiff it is clear that her



name and date of birth are stated as '*Anuja B. N.*' and as 09.06.1999, respectively, which is incorrect as per the Plaintiff.

10. The Plaintiff has contended that her correct name is '*Anushree B. N.*' and has relied on Ex. P1 to 4, 9 and 10 her Aadhaar card, PAN Card, Bank Pass Book, Income cum Caste Certificates and Certificate of Diploma in Office Management. Perusal of the said documents shows that the name of the Plaintiff is stated as '*Anushree B. N.*' and her date of birth as '*19.05.2000*'

11. It is clear that the Plaintiff wants to change her name and whether the same is permissible is to be examined.

12. It is well settled that a person has the right to get his name changed. There is no allegation that the Plaintiff has been using multiple names to hide her real identity and is using different names for criminal activities. It is a fundamental right of a person to keep a name or change a name and the same is vested in every citizen by virtue of Section 34 of Specific Relief Act read with Article 19 (1) (a) and Article 21 of the Constitution of India.



13. It is held in the case of *Dorasanamma v/s The State of Karnataka* in **RFA No.284/2014** decided on 02.09.2016 that name is a legal character relating to existence of a person attached to his / her personality.

14. In the case of *Bhoop Singh Vs. Tarif Singh* reported **AIR 1952 All 352** it was held that the term legal character and right to ask any property were used in Section 42 of old Specific Relief Act disjunctively and not conjunctively so as to entitle the Plaintiff to a declaration on the exclusive basis of either the one or the other the word 'legal' before the word 'character' signifies the status in society of a person seeking declaration.

15. In cases like the present one cannot expect voluminous records. There is enough evidence in support of the case of the Plaintiff. Though the parents of the Plaintiff may have stated the name of the Plaintiff as 'Anuja B N' at the time admission of the Plaintiff to Defendant No. 12 School, however in view of the above proposition of law the Plaintiff is still entitled to get her name declared. It is her prerogative to identify herself with a name as she chooses. Therefore I have no hesitation to hold that, the correct name of the Plaintiff is 'Anushree B. N.'.



16. However the Plaintiff has failed to produce any contemporaneous or primary document predating the school records (Ex.P5 to Ex.P8) to substantiate her claimed date of birth, and hence the claimed date of birth cannot be accepted. Without there being any documentary evidence regarding date of birth which predates Ex.P5 to 8, it is difficult to hold that the date of birth of the Plaintiff as 19.05.2000. Therefore the Plaintiff has failed to prove that her date of birth is 19.05.2000. Accordingly, this court answers **Point No.1 in the “Partly in the Affirmative”**.

17. **Point No. 2:** In *Gunda Naika P.S. Vs. The State of Karnataka* and others [**RFA No.322/2013** (DEC), decided on 10.12.2013], the Hon'ble High Court of Karnataka was pleased to hold that the only pre-requirement for effecting the change of name in the educational records by the Deputy Director of Public Instructions is obtaining the decree from the competent Civil Court. Para-12 of the Judgment (supra) reads as follows:

"12. The trial court's reasoning that the appellant has not followed the procedure prescribed by the State and the Central



Government is also not tenable. The respondents are in no position to point out any statutory provision or rule or Government order or circular prescribing the procedure for the change of name. On the other hand, the perusal of the circular dated 02/05/2000, shows that, the only pre- requirement for effecting the change of name in the educational records by the Deputy Director of Public Instructions is the obtaining of the decree by the applicant at the hands of the Competent Civil Court".

18. From the above it is clear that one can apply for correction of name through decree of the court. Albeit the above judgment is with respect to school records there is no reason why the ratio should not be applied to other documents subject to laws governing such the documents. This court is of the opinion that the above judgment is applicable to the case on hand and therefore the suit for declaration by the Plaintiff to have her correct name declared is maintainable.

19. In the present case the Plaintiff has already approached the competent authority as per Ex.P12 to 14 for correction of her name in her educational records. However, the said authority has not corrected her educational records. Hence after resorting to remedy



before the concerned authority the Plaintiff has approached this court.

20. It is pertinent to mention here that the Plaintiff has sought for declaration that her correct name and date of birth are '*Anushree B. N.*' and '*19.05.2000*' respectively in Defendant No. 8 to 12 records, however the proper prayer the Plaintiff ought to have sought is for declaration and for consequential relief of injunction seeking correction of the said records. However as Order 7 Rule 7 of the CPC provides for moulding the relief, as pleadings in mofussil areas should not be strictly construed and as the Plaintiff need not pay additional court fee for the consequential relief, the relief can be moulded to grant the relief of mandatory injunction directing correction of the name of the Plaintiff in the educational records of the Plaintiff maintained by Defendant No. 8 to 12. Therefore in the light of the above the Plaintiff is entitled only to correct her name and not date of birth. Hence the Plaintiff is partly entitled for the relief. Accordingly this court answers **Point No.2 partly in the Affirmative.**

21. **Point No. 3:** In view of the above discussions on above issues, this court proceeds to pass the following;



ORDER

The suit of the Plaintiff is hereby partly decreed.

It is hereby declared that the correct name of Plaintiff is '*Anushree B. N.*'

Defendant No. 8 to 12 are directed by way of mandatory injunction to correct the name of the Plaintiff as Anushree B. N. in the educational records maintained by them.

The prayer of the Plaintiff for correction of her date of birth as 19.05.2000 is hereby dismissed.

In view of the nature of the suit, facts and circumstances of the case the costs are made easy.

Draw decree accordingly.

(Typed, corrected and then pronounced by me in open court on this **06th day of April, 2026**).

(Raviprakash T. Avin)
III Addl. Civil Judge and JMFC,
Kanakapura.



ANNEXURE

1. List of witnesses examined on behalf of plaintiff:

P.W.1 : Anushree B.N @ Anuja B.N

2. List of documents marked on behalf of plaintiff:

Ex.P.1 : Aadhaar card of the Plaintiff

Ex.P.2 : Pan Card

Ex.P3 : Bank Pass Book

Ex.P4 : Income receipt

Ex.P5 : SSLC Marks Card

Ex.P6 : PUC Marks Card

Ex.P7 : BSC Certificate

Ex.P8 : BSC Marks Cards

Ex.P9 : Income Certificate

Ex.P10 : Diploma Certificate

Ex.P11 : Affidavit

Ex.P12 : Legal Notice

Ex.P13 : Postal receipts

Ex.P14 : Postal Acknowledgment

3. List of witnesses examined and documents marked on behalf of Defendants:

-- Nil ---

(Raviprakash T. Avin)
III Addl. Civil Judge and JMFC,
Kanakapura.