



IN THE COURT OF THE PRL. CIVIL JUDGE & J.M.F.C.
AT HOSANAGARA

PRESENT:

Maruti R Shindhe, (B.A, LL. B)

Prl. Civil Judge and J.M.F.C., Hosanagara.

Dated this the 28th day of July 2026

CRL. MISC. No.32/2026

PETITIONER : 01 Sri.Mohammed Aslam
S/o Mohammed Silar,
Aged about 35 years,
Occu: Coolie,
R/at Church road,
Ward No.8, Hosanagara Town,
Hosanagara Taluk,
Shivamogga District

(By Sri.Erappa K., Advocate)

// VERSUS //

RESPONDENT : 01 The Chief Officer,
. Hosanagara Pattana Panchaythi,
Hosanagara
Shivamogga District

(Placed Ex-Parte)

ORDER

This petition is filed by petitioner against the respondent U/Sec.13[3] of the Registration of Births and Deaths Act, 1969 praying for issuance of direction to the respondent to register

the factum of birth of the petitioner viz. Sri.Mohammed Aslam S/o Mohammed Silar as 01.01.1991.

02. The case of the petitioner is that;

The petitioner was born on 01.01.1991 at Ward No.8, Church road, Hosanagara Town, Hosanagara Taluk, Shivamogga District in their parents house. The parents of petitioner had orally intimated to the respondent regarding birth of the petitioner. The petitioner has given application to the respondent for issuing the birth certificate. But, the respondent on 15.04.2026 issued non-availability birth certificate of the petitioner. The birth certificate of the petitioner is required for the PASSPORT. Hence, the present petition.

03. Perused the order sheet dated 06.07.2026. It reveals that after service of summons the respondent placed ex-parte.

04. The petitioner examined himself and he has got marked documents marked at Ex.P-1 and Ex.P2. The respondent had not led evidence on his side.

05. Heard the arguments of the learned counsel for petitioner. Perused the records.

06. The following points arise for the consideration of the Court:

- 1) Whether the prayer made in the application can be granted?
 - 2) What order?
07. Answer on the above points are as under:

Point No.1 : In the Affirmative.
Point No.2 : As per final order
for the following.

REASONS

08. **POINT NO. 1:** The petitioner in order prove his case, himself examined as PW-1 and got marked the documents vide Ex.P1 and Ex.P.2. On his making of an application for issuance of his birth certificate, the respondent on 15.04.2026 issued his non-availability certificate as per document vide Ex.P-1, Ex.P.2 is the notarized copy of Transfer certificate sows that the birth date of petitioner as 01.01.1991. The evidence of petitioner and documents produced by his remained unchallenged. Therefore, I do not find any reason to disbelieve the testimony and documents produced by P.W.1.
9. There is no contra material available on record to disbelieve the case of petitioner. Therefore, I am of the considered opinion that the necessary direction requires to be given to enter the date of birth of the petitioner's

daughter in the concerned register. Accordingly, point
AFFIRMATIVE.

10. **POINT No.2:-** In view of my answer to point No.1, Court proceed to pass the following;

ORDER

The petition filed by the petitioner U/Sec.13(3) of the Registration of Births and Deaths Act, 1969 is hereby allowed with no order as to costs.

The respondent is hereby directed to enter the factum of date of birth of Sri.Mohammed Aslam S/o Mohammed Silar as 01.01.1991 at Ward No.8, Church road, Hosanagara Town, Hosanagara Taluk, Shivamogga District on payment of requisite penalty.

(Computerized to my dictation by the stenographer, printout then revised, corrected, signed and then pronounced in the Open Court on this the 28th Day of July 2026)

(Maruti R. Shindhe)
Prl. Civil Judge and J.M.F.C.,
Hosanagara

ANNEXURE

[I] LIST OF WITNESSES EXAMINED BY THE PETITIONER:

01. P.W.1 : Sri.Mohammed Aslam

[II] LIST OF DOCUMENTS MARKED BY THE PETITIONER:

- 01.** Ex.P.1 : Non-availability Certificate
02. Ex.P.2 : Notarized copy of Transfer certificate
of petitioner

[III] LIST OF WITNESSES EXAMINED BY THE RESPONDENT:

- NIL -

[IV] LIST OF DOCUMENTS MARKED BY THE RESPONDENT:

- NIL -

(Maruti R Shindhe)
Prl.Civil Judge and J.M.F.C.,
Hosanagara.

