

KASM410016062026



**IN THE COURT OF I ADDL. CIVIL JUDGE &
J.M.F.C., THIRTHAHALLI.**

Present : Smt. Geethamani, .B.A., LL.B.,
C/c I Addl. Civil Judge & J.M.F.C.,
Thirthahalli.

Dated this the 10th day of July, 2026

Cr1.Mis.No.182/2026

PETITIONER :

Abdul Latheef T.E.,
S/o T.H. Ibrahim,
aged about 47 years,
R/o Hosabeedu,
Bejjavalli Post,
Thirthahalli Taluk,
Shivamogga District.

(By Sri. B.V., Adv.)

V/s.

RESPONDENT :

The Thahasildar,
Taluk Office,
Thirthahalli Taluk.

(Exparte)

ORDER

Petition is filed under section 13(3) of registration of
Birth and Death Act by the petitioner seeking the birth

certificate of himself by name **Abdul Latheef T.E., S/o T.H. Ibrahim, who was born on 25.05.1979 at the residential house situated at Hosabeedu, Bejjavalli Post, Thirthahalli.**

2. Petitioner asserted that, petitioner by name Abdul Latheef T.E., S/o T.H. Ibrahim, who was born on 25.05.1979 at the residential house situated at Hosabeedu, Bejjavalli Post, Thirthahalli. By oversight and inadvertence and bonafide reasons, the petitioner parents was not report the birth date of petitioner to the respondent in time. When the petitioner has applied for issue birth certificate to the respondent, then the respondent has issued non-availability certificate on 07.05.2026 by stating there is no entry of date of birth of petitioner in the respondent authority. Further earlier the petitioner has not filed any petition before any forum any court to getting his birth certificate. The birth certificate of petitioner is necessary for bonafide reasons. Hence, he filed this petition.

3. After registration of petition notice was issued to the respondent. In spite of service of notice respondent remained absent and hence, placed ex parte.

4. Following points arise for consideration.

POINTS

1. Whether petitioner is entitled for the relief sought?

2. What Order?

5. To prove his case, the petitioner was examined himself as PW-1 and documents Ex.P.1 and Ex.P.2 were marked. No evidence from the side of respondent.

6. Heard, learned advocate for petitioner.

7. Answer to the above points is as follows:

Point No.1: Affirmative;

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

REASONS

8. **Point No.1:-** The petitioner asserted that, petitioner by name Abdul Latheef T.E., S/o T.H. Ibrahim, who was born on 25.05.1979 at the residential house situated at Hosabeedu, Bejjavalli Post, Thirthahalli. Date

of birth was not registered in the office of respondent. The birth certificate of petitioner is necessary for bonafide reasons.

9. To demonstrate his case petitioner filed affidavit evidence reiterating petition averments. He specifically stated that, petitioner by name Abdul Latheef T.E., S/o T.H. Ibrahim, who was born on 25.05.1979 at the residential house situated at Hosabeedu, Bejjavalli Post, Thirthahalli. Due to lack of knowledge the petitioner and his family members not intimate the date of birth of Abdul Latheef T.E., and it is not registered in the office of respondent. He applied for his birth certificate, but respondent has issued a non-availability certificate stating that, the date of birth of Abudl Latheef T.E. is not registered.

10. To support his verbal evidence, he placed reliance on document Ex.P-1 is non-availability certificate dated 07.05.2026 issued by the respondent stating that the date of birth of Abdul Latheef T.E. is not entered in the concerned register and Ex.P-2 is the transfer

certificate of petitioner. Verbal and documentary evidence relied by the petitioner remained intact, as the respondent failed to contest the petition. Absolutely there is no reason to disbelieve or discard the evidence of petitioner. The unchallenged proof clearly demonstrates that the date of birth of petitioner is not registered in the office of respondent and it is require to be registered. Hence, above point is answered in **affirmative**.

11. **Point No.2:** By virtue of above findings court proceeds to pass the following:

ORDER

The petition filed by the petitioner U/Sec. 13(3) of the Registration of Births and Deaths Act is allowed.

Respondent is directed to enter the date of birth of petitioner by name **Abdul Latheef T.E., S/o T.H. Ibrahim, who was born on 25.05.1979 at the residential house situated at Hosabeedu, Bejjavalli Post, Thirthahalli** in the concerned register and

issue birth certificate after collecting the
necessary fees.

(Dictated to the Stenographer directly on computer, generated through computer by her, corrected and then pronounced by me in the open court on this 10th day of July, 2026).

(Geethamani)
C/c I Addl. Civil Judge & J.M.F.C.,
Thirthahalli.

:: ANNEXURE ::

List of witnesses examined on behalf of petitioner:

PW-1 : Abdul Latheef T.E.

List of documents exhibited on behalf of petitioner:

Ex.P.1 : Non-availability certificate.

Ex.P.2 : Transfer certificate

List of witnesses examined on behalf of respondent:

:Nil:

List of documents exhibited on behalf of respondent:

:Nil:

(Geethamani)
C/c I Addl. Civil Judge & J.M.F.C.,
Thirthahalli.

(Orders pronounced in open court vide separate)

ORDER

The petition filed by the petitioner U/Sec. 13(3) of the Registration of Births and Deaths Act is allowed.

Respondent is directed to enter the date of birth of petitioner by name **Abdul Latheef T.E., S/o T.H. Ibrahim, who was born on 25.05.1979 at the residential house situated at Hosabeedu, Bejjavalli Post, Thirthahalli** in the concerned register and issue birth certificate after collecting the necessary fees.

C/c I Addl. Civil Judge & JMFC.,
Thirthahalli.