

IN THE COURT OF I ADDL. CIVIL JUDGE AND JMFC, SORABA.

PRESENT

Smt. JYOTI B.KAGINAKAR.,
B.Sc, LL.B.,

I Addl. Civil Judge and JMFC, Soraba.

Dated on this the 04th day of June-2026

Crl.Misc.No.36/2026

PETITIONER:

Sri. Jairama D S/o Deepla Naik,
Age: 20 years,
R/o: Samanavalli village, Anavatti Hobli,
Tq: Soraba, Dist: Shivamogga.

(By Sri. H.E.S., Advocate)

//V/s//

RESPONDENTS:

1. The Tahashildhar,
Birth and Death Registration Authority,
R/o Tq: Soraba, Dist: Shivamogga.

(Absent)

ORDER

The petitioner has filed this petition **Under Section**
13(1) of Registration of Births and Deaths Act, 1969.

2. The petitioner has stated that, the petitioner by name **Jairama D S/o Deepla Naik** is born on 24.12.2006 at Samanavalli village, Anavatti Hobli, Soraba Taluk and due to inadvertence, the said fact was not intimated to the concerned authority. He has further stated that, the entry of date of birth of petitioner is not available with the respondent and when petitioner has applied for the certified copy of the date of birth of petitioner, the petitioner was given with an endorsement stating that, there is no entry regarding date of birth of petitioner with the respondent. Accordingly, petitioner has prayed for allowing the petition.

3. After notice, the respondent did not appear and accordingly, the matter was posted for enquiry and the petitioner got examined himself as PW-1 by filing the affidavit and got marked four documents at Ex.P-1 and Ex.P-2.

4. Heard the Counsel for the petitioner.

5. The points that arise for my consideration are;

1. Whether the petitioner is entitled to the registration of petitioner birth event in the register maintained by the respondent?

2. What order?

6. My answers to the above points are as under;

POINT No.1 : In the Affirmative.

POINT No.2 : As per final order for the following;

REASONS

7. **POINT NO.1:** The petitioner has stated that, petitioner by name **Jairama D S/o Deepla Naik** has born on 24.12.2006 at Samanavalli village, Anavatti Hobli, Soraba Taluk. The petitioner on oath has stated regarding the fact of petitioner birth and also deposed that his failed to intimate the concerned authority in the time and he has also deposed regarding the application filed by his before the respondent to issue petitioner birth certificate. Petitioner has produced the original non-availability certificate issued by the respondent, which is marked as Ex.P-1. School certificate of petitioner, issued by the School Head Master, which is marked as Ex.P-2.

8. **Under Sec.13 of Birth and Death Registration Act**, the person is entitled to delayed registration of birth or death event on proof thereof subject to payment of late fees. In the instant case the petitioner contended that, petitioner

has born on 24.12.2006 and the same is not reported to the respondent authority. The petitioner has produced Ex.P-1 and 2 in support of his case. The date of birth of petitioner is shown as 24.12.2006 in her Non-availability certificate and School records. The material placed on record prima facie discloses the birth of petitioner on 24.12.2006. Moreover, inspite of service of notice, the respondent has not appeared and contested the petition. The contents of petition remain unchallenged. Petitioner has made out prima-facie case and there is no material to discard her claim. Therefore, I am of the opinion that, the petitioner is entitled for the relief claimed in this petition. Accordingly, **I answer point No.1 in the Affirmative.**

9. POINT No.2: For the reasons stated above, I proceed to pass the following;

ORDER

The petition filed by the petitioner under **Sec.13(1) of the Registration of Births and Deaths Act-1969** is hereby allowed.

The respondent is hereby directed to make an entry regarding the date of birth of petitioner by name **Jairama D S/o Deepla Naik** as **24.12.2006** at Samanavalli village, Anavatti Hobli, Soraba Taluk in the concerned Register after collecting necessary fee and issue the birth certificate.

(Dictated to the Stenographer, typed by her, corrected by me and then pronounced in the Open Court this 04th day of June-2026).

(Smt. Jyoti B. Kaginakar)
I Addl. Civil Judge and JMFC.,
Soraba.

ANNEXURE

I. List of witnesses examined on behalf of petitioner:

PW-1 : Jairama D S/o Deepla Naik.

II. List of documents marked on behalf of petitioner:

Ex.P-1 : Original Non-Availability Certificate
Ex.P-2 : School certificate.

III. List of witnesses examined on behalf of respondent:

-Nil-

IV. List of documents marked on behalf of respondent:

-Nil-

**I Addl. Civil Judge and JMFC,
Soraba.**

(Order pronounced in the open court
vide separate order)

ORDER

The petition filed by the petitioner **U/Sec.13(1) of the Registration of Births and Deaths Act-1969** is hereby allowed.

The respondent is hereby directed to make an entry regarding the date of birth of petitioner by name **Jairama D S/o Deepla Naik** as **24.12.2006** at Samanavalli village, Anavatti Hobli, Soraba Taluk in the concerned Register after collecting necessary fee and issue the birth certificate.

**I Addl. C.J & JMFC.,
Soraba.**