

KATK710019432026



IN THE COURT OF ADDL. CIVIL JUDGE AND JMFC, PAVAGADA

Present:- MUNIRATHNAMMA C N, B.A., LL.B.,
Addl. Civil Judge and JMFC.,
Pavagada.

Dated this the 11th day of June, 2026

Crl. Misc. No.237/2026

PETITIONER:

Govindraju
S/o Thimmanna
aged about 45 years
Residing at;
Maridasanahalli Village
Y.N.Hosakote Hobali
Pavagada Taluk.

(By Sri.K.R.Shivanna, Adv.,)

// Versus //

RESPONDENT:

The Deputy Tahasildar
Register of Birth and Death,
Nadakacheri, Y.N.Hosakote
Pavagada Taluk.

(Absent)

:: ORDER ::

This petition is filed by the petitioner under Section 13(3) of Registration of Births and Deaths Act, 1969 seeking an order directing the respondent to make necessary entry of the factum of the birth of petitioner's son by condoning the delay in making the necessary entry of the same, as the respondent after verifying the records has issued Non-Availability Certificate, stating that there is no entry regarding date of birth of the petitioner's son.

2. The petitioner's son by name Dinesh.G S/o Govindraju was born on 27.02.2011 at petitioner house, Maridasanahalli Village, Y.N.Hosakote Hobali, Pavagada Taluk, Tumakuru District and lack of knowledge on his part resulted in not intimating to the concerned authority regarding the fact of birth of petitioner's son. The petitioner approached the respondent in respect of the same and the respondent intimated regarding the non-availability of birth certificate of petitioner's son. Hence, he has approached this court. It is further submitted that, the said birth certificate is required for his son's education and for other legal necessities.

3. Despite due service of notice, the respondent remained absent.

4. Heard Counsel for the petitioner.

5. On the basis of the above contentions, the following point arise for my consideration.

1. Whether the petitioner has made out sufficient grounds to allow the petition ?

2. What order ?

6. My answer to the above points as follows:

Point No.1 : In the Affirmative.

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

∴ REASONS:-

7. The petitioner to substantiate the contention, got examined himself as PW.1 by filing his evidence affidavit in lieu of his examination-in-chief. PW-1 deposed that his son's birth certificate is necessary for his education and other legal purpose. PW-1 has also produced the non-availability certificate as Ex. P-1 and notarized copy of Aadhar card of petitioner as Ex.P-2. Notarized copy of Aadhar card as Ex.P.3. Copy of school admission extract as Ex.P4. On careful perusal of the school admission extract, the date of birth of the petitioner's son is mentioned as 27.02.2011. Moreover, the evidence placed by the petitioner remains unchallenged. Under the circumstances, I do not find any reasons to disbelieve the evidence of PW-1. Hence, I proceed to answer point No.1 in the Affirmative.

8. POINT No.2 :- In view of my findings on point No.1, I proceed to pass the following:

ORDER

The petition filed by the petitioner is hereby allowed.

The respondent is hereby directed to register the factum of birth of petitioner's son namely Dinesh.G S/o Govindraju was born on 27.02.2011 on payment of requisite fee.

(Dictated to the stenographer, corrected by me and then pronounced in open court on this 11th day of June, 2026).

(MUNIRATHNAMMA C N)
Addl. Civil Judge and JMFC.,
Pavagada.

ANNEXURE**LIST OF WITNESSES EXAMINED FOR PETITIONER**

PW.1 - Govindraju

LIST OF DOCUMENTS EXHIBITED FOR PETITIONER

Ex.P.1 - Non availability certificate
Ex.P.2 - Notarized copy of Aadhar card of petitioner
Ex.P.3 - Notarized copy of Aadhar card
Ex.P.4 - Copy of school admission extract.

(MUNIRATHNAMMA C N)
Addl. Civil Judge and JMFC.,
Pavagada.