

**IN THE COURT OF THE PRL. CIVIL JUDGE AND JMFC
AT, SHORAPUR**

Present : **Sri. MUDUKAPPA ODAN,**
B.A., LL.M
Prl. Civil Judge and JMFC.,
shorapur.

Crl. Misc. No.1480/2026

Dated this the 06th day of June - 2026

Petitioner : Muzammil Khan S/o Abdul
Hameedkhan, Age: 25 years,
Occ: Student, R/o Badi Masjid
Mohalla, Kabadigera, Shorapur,
Tq: Shorapur, Dist: Yadagir.

(By Sri.R.V.N.Adv.)

V/S

Respondent : The C.M.C Shorapur.

(Ex-parte)

ORDER

The petitioner has filed this petition under section 13[3] of Registration of Births and Deaths Act 1969, seeking direction against the respondent to enter his date of birth, he was born on 16.11.2001 at Badi Masjid Mohalla, Kabadigera, Shorapur in the concerned record.

2. The brief facts of the petition are that ;

The petitioner by name **Muzammil Khan S/o Abdul Hameedkhan** has stated that, he was born on **16.11.2001** in his house at Badi Masjid Mohalla, Kabadigera, Shorapur, Tq. Shorpaur. Dist: Yadagir. Because of lack of legal knowledge his parents and other family members have not registered his date of birth in the concerned authority. Hence, the father of the petitioner had orally informed to the respondent to obtain birth certificate for his son for higher education. After searching the document, the respondent had issued endorsement on 08.04.2026. Therefore, he prayed to allow the petition.

3. After receipt of the petition, the court issued notice to the respondent and it was duly served, he has not chosen to appear. Hence, placed ex-parte. Badi Masjid Mohalla, Kabadigera, Shorapur,

4. In order to prove the above case of the petitioner, the petitioner himself got as PW.1 and got marked documents at Ex.P1 to P6 and closed his side of evidence.

5. I have heard the arguments from petitioner side and perused the materials on record.

6. The following points arises for my consideration;

P O I N T S

1. Whether the petitioner proves that, the name of petitioner Muzammil Khan S/o Abdul Hameedkhan was born on 16.11.2001 at Badi Masjid Mohalla, Kabadigera, Shorapur?
 2. What order?
7. My findings to the above points are as under;
- Point No.1 : In the Affirmative.
- Point No.2 : As per the final order for the following;

R E A S O N S

8. **Point No.1:** In order to prove the above case, the petitioner himself got examined as PW-1 and reiterated the contents of the petition in his evidence. She relied upon the documents, which are marked as Ex.P1 to Ex.P6.
9. The Ex.P1 is the endorsement issued by respondent on 08.04.2026 wherein, it is mentioned that, the date of birth of petitioner is not available. Ex.P2 is the Study certificate of petitioner. Ex.P3 is the SSLC marks card, Ex.P4 is the Transfer certificate and Ex.P5 and 6 are the Adhar cards of

petitioner and his mother. wherein it discloses that, the petitioner was born on 16.11.2001.

10. The PW1 has stated in his evidence that, he was born on 16.11.2001 in his house at Badi Masjid Mohalla, Kabadigera, Shorapur. The birth certificate is essential for getting admission in the school.

11. Further, on the other hand, the respondent has not appeared and not challenged the version of the PW-1. Therefore, there are no grounds to disbelieve the version of the PW-1.

12. The birth registration would be more helpful to the Government because, to know the actual population of the State and for making the beneficial policies to the public. If this petition is not allowed, it would cause hardship to the petitioner because, he would be deprived from getting the benefits from the Government. In such a circumstances, if this petition is allowed no harm or loss would caused to the respondent. Hence, I hold that, the petitioner has proved that, he was born on 16.11.2001 at Badi Masjid Mohalla, Kabadigera, Shorapur. Therefore, I answer the point No.1 in the **Affirmative.**

13. Point No.2:- For the aforesaid reasons, I proceed to pass the following;

ORDER

The petition filed by the petitioner U/s. 13[3] of the Registration of Births and Deaths Act 1969, is hereby allowed.

The respondent is hereby directed to enter the date of birth of the petitioner by name **Muzammil Khan S/o Abdul Hameedkhan**, who was born on **16.11.2001** at Badi Masjid Mohalla, Kabadigera, Shorapur, Tq.Shorpaur District Yadgir, in the concerned register maintained by respondent after receipt of the prescribed fee and late fee from the petitioner within stipulated time and issue birth certificate.

No order as to costs.

(Dictated to the Stenographer. on computer, corrected, signed and then pronounced by me in the Open Court on this the 06th day of June, 2026)

(MUDUKAPPA ODAN)
Prl. Civil Judge &JMFC,
shorapur

ANNEXURE**Witnesses examined on behalf of petitioner:**

PW1 : Muzammil Khan S/o Abdul Hameedkhan

Documents marked on behalf of petitioner:

Ex.P1 : Endorsement issued by Tahasildar shorapur.

Ex.P2 : Study certificate of petitioner

Ex.P3 : SSLC marks card

Ex.P4 : Transfer certificate

Ex.P5 &6 : Adhar cards of petitioner and his mother.

Witnesses examined on behalf of respondent:

- Nil -

Documents marked on behalf of respondent:

- Nil -

(MUDUKAPPA ODAN)

Prl.C.J & JMFC,
shorapur.