

KACD420000262026



IN THE COURT OF THE ADDL CIVIL JUDGE AND JMFC,

AT, HOLALKERE.

-:PRESENT:-

**HANUMANTHARAYAPPA. B.R.,
BA, LLB,
Addl. Civil Judge & JMFC, Holalkere.**

Crl.Misc. 6/2026

DATED THIS THE 20th DAY OF JULY 2026

Petitioners : Shashikala. P
D/o Putta Hanumappa
Aged about 19 years,
R/at Chowdagondanahalli Village,
Talya Hobli, Holalkere Taluk.
(By Sri.N.P.H., Adv.,)

v/s

Respondent : The Tahasildar
Registrar of Births and Deaths,
Taluk office,
Holalkere District.

(Exparte)

ORDER

The petitioner has filed this petition under section 13(3) of Registration of Birth & Death Act 1969.

2. The case of the petitioner in brief is that, she has contended that, the petitioner by name **Shashikala D/o Putta Hanumappa** was born on **05/06/2007 at Chowdagondanahalli Village Talya Hobli, Holalkere Taluk and Chitradurga District**. But due to ignorance and illiteracy, her date of birth was not registered in the office of respondent. Recently petitioner made an application to the respondent to issue the birth certificate of Sashikala for the purpose of Government facilities, for birth certificate and other bona-fide necessities, in future also the birth certificate is very important to petitioner's. But the respondent office has issued non-availability certificate dated 30/12/2025 stating that no entry found regarding the date of birth of petitioner. Hence, she has filed this petition to direct the respondent to enter the date and place of birth of petitioner in the concerned register and to issue birth certificate.

3. After institution of this petition, notice was duly served on the respondent, but respondent did not appear before the Court and has not contested the petition.

4. The petitioner examined himself as P.W.1 and got marked 6 documents as Ex.P.1 to 6 i.e., Ex.P1 is the Non-availability certificate, Ex.P2 is the copy of Mahazar, Ex.P3 is the School admission extract, Ex.P4 is the Anganawadi admission extract, Ex.P5 is the certified copy of SSLC marks card, Ex.P6 is the certified copy of Aadhar Card of petitioner.

5. Having heard the following point that would arise for my consideration.

Whether the petition filed by the petitioner under section 13(3) Registration of Birth and Death Act is deserves to be allowed?

6. My answer to the above point is in *Affirmative* for the following:-

REASONS

7. It is specific case of the petitioner that she is born on 05/06/2007 at Chowdagondanahalli Village, Talya Hobli, Holalkere Taluk, Chitradurga District. But due to

ignorance and illiteracy, the date of birth was not informed to the respondent for registration within one year. Therefore, there is no entry found in the register maintained in the office of respondent regarding the date of birth of petitioner's. Now, the petitioner's is in need of her birth certificate for the purpose of Government facilitates, for birth certificate and other bona-fide necessities. She has produced her school certificate. In this regard, the petitioner's made an application to the respondent requesting the respondent to issue birth certificate of petitioner. But the respondent had issued non-availability certificate as per Ex.P.1 stating that no entry found in the concerned register maintained by the respondent. Hence, the petitioner's is requesting this court to issue direction to the respondent to register the date of birth of petitioner's. As the respondent remained absent, the positive evidence of P.W.1 remained undisputed.

8. Sec.13(3) Registration of Birth and Death Act enables this court to issue direction to the respondent for making entries with regard to registration of date of birth. On perusal of materials available on record, I do not find any reason for rejecting the testimony of petitioner's.

Hence, I answer the above point in Affirmative. In the result, the following:

9. **Point No.2:** In view of above findings, I proceed to pass the following order:-

ORDER

The petition filed by the petitioner's under section 13(3) of Registration of Births and Deaths Act, 1969 is hereby allowed.

1. Name - Shashikala. P
2. Father name - Putta Hanumappa
3. Mother name - Thippakka.
4. Gender - Female
5. Date of birth - 05/06/2007.
6. Place of birth - Chowdagondanahalli Village Talya Hobli, Holalkere Taluk, Chitradurga District.

No order as to cost.

Intimate accordingly.

(Dictated to the Stenographer directly on computer and then pronounced by me in open Court on 20.07.2026).

(HANUMANTHARAYAPPA B.R)
Addl.Civil Judge & JMFC,
Holalkere.

ANNEXURE

List of witnesses examined for the Petitioner:-

PW-1 : Shashikala

List of documents marked for the petitioner:-

Ex.P-1 : Non-availability Certificate.
Ex.P.2 : Copy of Mahazar
Ex.P.3 : School Admission extract
Ex.P.4 : Anganawadi School admission extract
Ex.P.5 : Certified copy of SSLC marks card
Ex.P.6 : Copy of Aadhar card of petitioner

List of witnesses examined for the Respondent:

-NIL-

List of documents exhibited for the Respondent:

-NIL-

**Addl.Civil Judge & JMFC,
Holalkere.**