



**IN THE COURT OF I ADDL. CIVIL JUDGE & JMFC, AT
KUNDAPURA.**

:-Present:-

SRI. SHRINIVASA.K.R., B.A.L.,LL.M.,
I Addl. Civil Judge & J.M.F.C.,
Kundapura.

DATED THIS THE 24th DAY OF JULY, 2026

Criminal. Misc. No.165/2026

PETITIONER : Sharada Udupi,
W/o.Ananda Kumar Anagalli,
Aged about 70 years,
R/at 1-N-6-451/6 Akshayananda,
Derebail Sankesh Road,
Ashoknagar, Mangalore,
Dakshinakannada District.

(By Sri/Smt. D.S., Advocate)

// Versus //

RESPONDENT: The Chief Officer
Town Municipality, Kundapura.

(Ex-parte)

O R D E R

The petitioner has filed this petition Under Section 13(3) of the Registration of Birth and Death Act, seeking direction to the respondent to enter her date of birth as **24.07.1956** in the concerned records, and issue birth certificate accordingly.

2. The brief facts of the case are :



It is the case of the petitioner that, the petitioner was born on **24.07.1956**, at Kundapura Kasaba Village Kundapura Taluk. That by oversight at the time of birth of the petitioner, the entry of date of birth is not entered in the Birth Register maintained by the respondent. As the petitioner wanted birth certificate for **Passport renewal** purpose, petitioner approached the respondent for issuance of her birth certificate. But she was informed that, her date of birth was not registered in the records and in this regard the non-availability certificate was issued by the respondent. It is averred that, her birth certificate is very much needed, Hence, this petition.

3. Though the notice was duly served on the respondent, the respondent remained absent before the Court and hence placed as Ex-parte by the order of this Court.

4. In order to prove her case, the petitioner is examined as PW-1 and got marked 3 documents as Ex.P-1 to Ex.P-3.

5. I have heard the counsel for the petitioner.



6. The points arise for the determination of the case are as follows:

1. Whether the petitioner proves that petitioner was born on **24.07.1956**?
2. Whether the petitioner is entitled for the relief claimed in the petition ?
3. What order?

7. My answer to the above points are as follows:

Point No.1: In the Affirmative.

Point No.2: In the Affirmative.

Point No.3: As per final order
for the following:

REASONS

8. **Point No.1:-** In order to prove the case of petitioner, the petitioner is examined as PW-1. It is the evidence of PW-1 that, petitioner was born on **24.07.1956** at Kundapura Kasaba Village, Kundapura Taluk, Udupi District and due to oversight the concerned authority not entered the date of birth of the petitioner in the concerned Registers. In support of her evidence, certain documents are produced. Ex.P-1 is non-availability certificate, which shows that, the date of birth of petitioner has not been entered in the birth and



death register maintained by the respondent. Ex.P-2 is the Notarized Aadhaar Card. Ex.P-3 is the Passport.

9. The evidence of PW-1 and the documentary evidence have remained unchallenged and uncontroverted. As such, the Court finds no reasons to disbelieve the case of the petitioner. Consequently, I hold that the petitioner has proved that her date of birth is **24.07.1956** and accordingly, I answer point No.1 in the **Affirmative**.

10. **Point No.2:-** As the petitioner has proved that, her date of birth is **24.07.1956** hence she is entitled for the relief claimed in the petition. Hence, I answer point No.2 in the **Affirmative**.

11. **Point No.3:-** In view of the above reasons, I proceed to pass the following:

ORDER

The petition filed by the petitioner Under Section 13(3) of the Birth and Deaths Act, is allowed.

Consequently, the respondent is directed to enter the date of birth of petitioner by name **Sharada Udupi D/o. Shiva Rao Udupi** and



Radha Bai Udupi and **W/o. Ananda Kumar Anagalli** as on **24.07.1956**, at Kundapura Kasaba Village, Kundapura Taluk, Udupi District, in the concerned register, subject to payment of prescribed late fee if any.

(Dictated to the Stenographer directly on the computer, typed by her, corrected by me and then pronounced in the open court on this **24th day of July, 2026.**)

(Shrinivasa. K.R)
I Addl. Civil Judge & J.M.F.C.,
Kundapura.

A N N E X U R E

List of witnesses examined on behalf of Petitioner:

PW-1 : Smt.Sharada Udupi, W/o. Ananda Kumar Anagalli

List of exhibits marked on behalf of Petitioner:

Ex.P-1 : Non-availability certificate.

Ex.P-2 : Notarized Aadhaar Card.

Ex.P-3 : Notarized Passport.

List of witnesses marked on behalf of Respondent

- - N I L - -



List of exhibits marked on behalf of Respondent

- - N I L - -

(Shrinivasa. K.R)
I Addl. Civil Judge & J.M.F.C.,
Kundapura.



**Order pronounced in the Open Court
{Vide Separate Order}**

O R D E R

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**I Addl. Civil Judge & JMFC,
Kundapura.**