



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 4942 OF 2026 (LB-BMP)

BETWEEN:

SMT. PURNIMA S
W/O SRINIVAS KUMAR U.A,
AGED 55 YEARS
NO. 11/1, 18TH A CROSS,
8TH MAIN ROAD, SAMPANGIRAM NAGARA
BENGALURU - 560 027.

...PETITIONER

(BY SRI. B.S. RAGHU PRASAD, ADVOCATE)

AND:

1. STATE OF KARNATAKA
DEPARTMENT OF EDUCATION
M.S.BUILDING, BANGALORE - 560 001,
REP. BY PRINCIPAL SECRETARY.
2. CHIEF REGISTRAR OF BIRTHS AND DEATHS
BRUHAT BANGALORE MAHANAGAR PALIKE
DIRECTORATE OF ECONOMICS AND STATISTICS,
7TH FLOOR, VISHVESHWARAYA MAIN TOWER,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU - 560 001.

...RESPONDENTS

(BY SRI. BOPPANNA BELIYAPPA, AGA FOR R1;
SRI. PAWAN KUMAR, ADVOCATE FOR R2)





THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTING THE R2 TO CONSIDER THE REPRESENTATION DTD 06.09.2025 AND 15.11.2025, AT ANNEX-F AND F1 AND ISSUE BIRTH CERTIFICATE WITH DATE OF BIRTH AS 30.01.1972 TO THE PETITIONERS.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. Learned Additional Government Advocate accepts notice for respondent No.1.
2. Sri. Pawan Kumar, learned counsel accepts notice for respondent No.2.
3. Petitioner is before this Court seeking for the following reliefs:

- a. writ of Mandamus directing the respondent no 2 to consider the representation dated 06.09.2025 and 15.11.2025 at ANNEXURE-F and F1 and issue birth certificate with date of birth as 30.01.1972 to the petitioner*
- b. Such other writ or directions as this Hon'ble court deem fit in the nature of the case.*
- c. Direct the respondent to pay costs of the petition to the petitioner.*



4. The petitioner has submitted a representation to respondent No.2 seeking alteration of her recorded date of birth from 30.01.1970 to 30.01.1972, thereby reducing her age by two years. The prayer is, in substance, for substitution of the year of birth as entered in the statutory register maintained under the provisions of the Registration of Births and Deaths Act, 1969.
5. At the outset, it must be noted that the entry relating to date of birth in the register maintained under the Act is a statutory entry. Such entry carries with it a presumption of correctness unless altered in accordance with the procedure prescribed by law. The statutory framework governing corrections is contained in Section 22 of the Registration of Births and Deaths Act, 1969. The said provision empowers the Registrar to correct or cancel entries in certain limited circumstances, namely where it is proved that an entry is erroneous in form or substance, or has been fraudulently or improperly made. However, the power of correction contemplated therein has



consistently been understood to apply to clerical mistakes, transcriptional errors, accidental slips, or errors apparent on the face of the record.

6. A request seeking alteration of the year of birth by two years cannot, by any reasonable interpretation, be categorised as a mere clerical or typographical error. It is not a case where digits have been inadvertently interchanged, nor where a copying mistake has occurred in transcribing the entry from source material. What is sought is a substantive modification of a foundational personal data, which may have civil consequences across multiple domains, including service matters, succession, contractual capacity, and statutory eligibility.
7. The writ jurisdiction of this Court under Article 226 of the Constitution is primarily supervisory and corrective in nature. A writ of mandamus issues to compel performance of a statutory duty where such duty is clear, unequivocal, and ministerial. It does not lie to compel an authority to undertake adjudication of disputed questions of fact, nor can it be invoked to bypass statutory



procedures or convert the writ court into a court of first instance for evidentiary determination.

8. In the present case, determination of the petitioner's actual date of birth would necessarily require examination of foundational evidence such as hospital records, school records, contemporaneous documents, and possibly oral testimony. The authenticity, reliability, and probative value of such material would have to be tested. These are matters requiring trial, appreciation of evidence, and adjudication, functions that fall squarely within the domain of a competent Civil Court exercising original jurisdiction.
9. Further, the authority under the Act does not possess plenary adjudicatory powers akin to those of a Civil Court. The Registrar is not equipped to conduct a detailed evidentiary inquiry into contested claims relating to date of birth beyond the limited scope envisaged under Section 22. To direct the authority by way of mandamus to effect such substantive alteration would amount to



expanding the statutory power beyond its legislative intent.

10. It is also well settled that where an efficacious alternative remedy exists, particularly one involving declaration of civil status or correction of public records through adjudication, the writ court ordinarily refrains from exercising its extraordinary jurisdiction. A declaration as to the correct date of birth is a matter appropriately adjudicated by a Civil Court, which can grant declaratory relief under the Specific Relief Act and issue consequential directions for the correction of statutory records.
11. In the absence of any clerical or apparent error demonstrated on the face of the existing entry, and in the absence of a clear statutory duty mandating respondent No.2 to alter the year of birth in the manner sought, no mandamus can be issued. The relief claimed is beyond the limited corrective scope contemplated under the Registration of Births and Deaths Act, 1969, and cannot be granted in these proceedings.



12. Accordingly, reserving liberty to the petitioner to approach the competent Civil Court seeking appropriate declaratory and consequential reliefs in accordance with law, the writ petition stands ***disposed of***.

SD/-
(SURAJ GOVINDARAJ)
JUDGE

GJM
List No.: 2 SI No.: 7