



CNR: KAHC010227522026

NC: 2026:KHC:50858
RFA No. 703 of 2026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 17TH DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR
REGULAR FIRST APPEAL NO. 703 OF 2026 (DEC/INJ)**

BETWEEN:

1.

(SINCE MINOR
REP BY HER NATURAL GUARDIAN FATHER)

NINGEGOWDA
S/O KRISHNEGOWDA

Digitally
signed by N
UMA
Location:
HIGH
COURT OF
KARNATAKA

...APPELLANT

(BY SRI. SAMPATH KUMAR A V, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS CHIEF SECRETARY
VIDHANA SOUDHA



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BANGALORE - 560 001.

2. THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS,
BANGALORE NORTH,
BANGALORE - 560 002.
3. THE BLOCK EDUCATIONAL OFFICER,
NORTH RANGE 1,
2ND BLOCK,
P AND T ROAD, RAJAJINAGAR,
BANGALORE - 560 010.
4. HEAD MASTER/HEAD MISTRESS,
APOLLO AKSHARADHAMA SCHOOL,
SANJEEVI NAGAR,
NAGARAHOLE CIRCLE
HEGGANAHALLI CROSS
BANGALORE - 560 091.

...RESPONDENTS

(BY SRI. V SESHU, AGA)

THIS RFA IS FILED UNDER SEC.96 OF CPC, AGAINST THE
JUDGMENT AND DECREE DATED.20.01.2026
PASSED IN OS NO.8792/2024 ON THE FILE OF THE XXXI
ADDITIONAL CITY CIVIL AND SESSIONS JUDGE, BENGALURU,
C/c. V ADDITIONAL CITY CIVIL AND SESSIONS JUDGE,
BENGALURU AND ETC.,

THIS APPEAL, COMING ON FOR FURTHER ARGUMENTS,
THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE HANCHATE SANJEEVKUMAR



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ORAL JUDGMENT

The Regular First Appeal is filed by the appellant/plaintiff calling in question the judgment and decree dated 20.01.2026 passed in O.S.No.8792/2024 by the Court of V Additional City Civil and Sessions Judge at Bengaluru (hereinafter referred to as 'Trial Court' for short), whereby the suit filed for declaration to declare that the plaintiff name is _____ instead of

_____ and mandatory injunction directing the defendants to effect the new name as _____ in school records and other records came to be dismissed.

2. For the sake of convenience and easy reference, the parties are referred to as per their rankings before the Trial Court.

3. It is the case of the plaintiff, in brief, that the plaintiff was born on 20.10.2010 at Jyothi Nursing Home and Maternity Hospital, Rajagopalnagar, Bengaluru. During the naming ceremony, the parents named the plaintiff as



. Thereafter, the parents of the plaintiff desired to change the name of the plaintiff from _____ to _____ as the new name would bring more prosperity in future to the plaintiff. Therefore, the plaintiff, duly represented by her father, has filed the suit for declaration and mandatory injunction to change her name to _____ in place of _____

4. The defendants Nos.1 to 3 have appeared and filed the written statement and denied the case of the plaintiff and therefore, prays to dismiss the suit.

5. Based on the pleadings, the Trial Court has framed the following issues:

1. *Whether natural guardian of the plaintiff proves that his minor daughter's correct name is _____ and not as _____ ?*
2. *Whether natural guardian of the plaintiff is entitled for the relief of declaration and mandatory injunction as sought for?*
3. *Whether natural guardian of the plaintiff is entitled for suit reliefs as sought for?*



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4. *What order or decree?*

6. The father and natural guaridan of plaintiff is examined as PW.1 and produced documentary evidence and got marked as Exs.P1 and P2. The defendants have not adduced any evidence either oral or documentary.

7. The Trial Court has dismissed the suit on the reason that the plaintiff has not produced any documents to prove that her name is _____ and also that public notices have not been issued publishing the change of name from _____ to _____. Further, the parents of the plaintiff have not approached the first defendant School seeking change of the name of the plaintiff in the school records and other records. Therefore, on all these reasons, the Trial Court has dismissed the suit.

8. Being aggrieved by the same, the plaintiff has preferred the present appeal by raising various grounds and learned counsel for the plaintiff in consonance with the



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grounds raised in the appeal, submitted that the parents of the plaintiff have published a public notice in a daily newspaper intending to change the name of the plaintiff from _____ to _____, but the same was not produced before the Trial Court and, therefore, the same has been produced in this appeal by way of additional evidence by invoking the provisions under Order XLI Rule 27 of CPC. Therefore, prays to consider the application and allow the appeal and grant a decree as prayed for. Further, it is submitted that as per the Government Circular regarding change of name, etc., a decree from the competent Civil Court is necessary. Therefore, the plaintiff has filed the suit. Hence, prays to allow the appeal and grant a decree as prayed for.

9. On the other hand, learned AGA has submitted that the suit is not maintainable. Therefore, he prays to dismiss the appeal. Further, he submitted that the plaintiff has not produced any evidence to show that her name is



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and what her original name is

Therefore, he prays to dismiss the appeal by justifying the judgment and decree passed by the Trial Court.

10. Having heard the submissions from both the sides and upon perusal of the records, the following points would arise for consideration:

1. Whether, under the facts and circumstances involved in the case, the plaintiff makes out sufficient grounds and reasons to change her name from _____ to _____ in the school records and other records and thus, the plaintiff is entitled to decree for declaration?
2. Whether, Civil Court has jurisdiction to try the suit whenever the suit is filed for declaration for change of name?
3. Whether, the judgment and decree passed by the trial Court requires interference by this Court?

11. It is a simple case of the plaintiff seeking declaratory relief for change of her name from _____

to _____. When the plaintiff was born, her parents have put the name _____ to the child. Now,



the parents of the plaintiff desire to change the name to
from '. According to their
astrological and numerological belief, the new name
' will bring more prosperity to the plaintiff. The
plaintiff is a minor child and is represented by her father
and natural guardina – Sri. Ningegowda.

12. The Trial Court has simply dismissed the suit on
the ground that the plaintiff has not produced any
documents to show that her name is '. This
reasoning of the Trial Court is unwarranted, as it is not the
case of the plaintiff that, at the initial stage, while
admitting the plaintiff to the school, her name was
wrongly mentioned as '. The plaintiff simply
desires to be called as and not .
Therefore, there could not have been any occasion to
produce any document showing the name of '.

13. Further, the Trial Court has assigned the reason
that the parents of the plaintiff have not approached the



first defendant seeking change of the name of the plaintiff in the school and other records. The defendant No.4 is not having the authority to change the name of the plaintiff in the school or in any other records. The only recourse available to the plaintiff is to file a suit and obtain a decree from the competent Civil Court. In this regard, the Government of Karnataka has issued Circular No. ED 100 DTB 2014 dated 26.10.2025, and the said Circular states that if any person desires to change the name or the name of the parents, or date of birth, etc., the concerned candidate shall obtain a decree from the competent Civil Court. Therefore, as per this Circular, the parents of the plaintiff have filed the suit for declaration. Therefore, the reasoning given by the Trial Court is not correct.

14. Therefore, when the suit is filed and evidence is given upon oath, unless the same is contrary to the evidence on record or otherwise disproved, the same can be accepted. In the present case, the plaintiff simply



desires to change her name from _____ to _____

. The letter "N" stands for the name of her father, 'Ningegowda'. There is no objection by anybody else for changing the name of the plaintiff. In this regard, the plaintiff has produced a public notice through newspaper publication intending to change the name of the plaintiff from _____ to _____ and the same is produced by filing an application invoking under Order XLI Rule 27 of CPC.

15. Therefore, upon considering the entire case on its own merits, the plaintiff is entitled to the relief of declaration as prayed for and, accordingly, the name of the plaintiff can be changed from _____ ' to _____

If this decree is passed, there would not be any harm to the defendants or to any other person. Therefore, the plaintiff is entitled to the relief of change of her name from _____ to _____



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16. Every person in society is necessarily to be recognized by his/her name. It is a civil right of every citizen in India to be recognized by his/her name. Therefore, for correction or change of name, filing a suit before the Civil Court is maintainable, as it relates to the adjudication of a civil right. Therefore, for change of the name of a candidate, the competent Civil Court has jurisdiction as per Section 9 of CPC.

17. It is the burden on the plaintiff to establish how the plaintiff is entitled to the relief of declaration for change of her name. However, the Civil Court has jurisdiction to make adjudication on the issue of change of name.

18. Therefore, the suit is liable to be decreed by allowing the appeal. Accordingly, the judgment and decree passed by the Trial Court is liable to be set aside. Accordingly, my answer to the points No.1 to 3 is in the **affirmative**. In the result, I proceed to pass the following:



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ORDER

1. The Regular First Appeal is ***allowed***.
2. The judgment and decree dated 20.01.2026 passed in O.S.No.8792/2024 by the Court of V Additional City Civil and Sessions Judge at Bengaluru, is hereby ***set aside***.
3. The suit is decreed declaring that the plaintiff is entitled to change her name to _____ in place of _____. Accordingly, mandatory injunction is issued to the defendants to change the name of the plaintiff as _____ in place of _____ in all the school records.
4. It is hereby declared that, now onwards, the plaintiff shall be recognized by her name as _____ daughter of Ningegowda, for all consequential purposes.
5. No Costs.
6. Draw decree accordingly.

**Sd/-
(HANCHATE SANJEEVKUMAR)
JUDGE**