

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 23RD DAY OF FEBRUARY 2015/4TH PHALGUNA, 1936

R.P.No.102 of 2015 (C)

(AGAINST THE JUDGMENT IN WP(C) 31827/2014 DATED 27-11-2014).

REVIEW PETITIONER/PETITIONER:

**KUNJUMOL @ RAJANI,AGED 48 YEARS,
D/O.CHELLAMMA,RESIDING AT RATHEESH BHAVAN,
PANAYAM.P.O.,PERINADU,KOLLAM (NELLIYIL VEEDU),
PANAYAM).**

**BY ADVS.SRI.C.RAJENDRAN
SMT.R.S.SREEVIDYA**

REVIEW RESPONDENTS/RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
SECRETARIAT,THIRUVANANTHAPURAM.**
- 2. THE REGISTRATION INSPECTOR GENERAL,
OFFICE OF THE REGISTRATION INSPECTOR GENERAL,
THIRUVANANTHAPURAM.**
- 3. DISTRICT REGISTRAR,
OFFICE OF THE DISTRICT REGISTRAR,
KOLLAM-691 013.**
- 4. SHRI N.SREENIVASAN,
S/O.NEELAKANTAN MUTHALI,
VILAYILKULANGARA PUTHEN VEEDU,
(KAVINTE VADAKKETHIL),THEKKEVILA,
ERAVIPURAM,KOLLAM.**

R1 TO R3 BY SENIOR GOVT. PLEADER SMT.SUNITHA VINOD.

**THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 23-02-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

A.MUHAMED MUSTAQUE, J.
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Review Petition No.102 of 2015
in
W.P(C).No.31827 of 2014
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Dated this the 23rd day of February, 2015

ORDER

Petitioner has filed a review petition with a prayer to review the judgment in W.P(C).No.31827 of 2014 to the extent directing the petitioner to produce Single Status Certificate before the third respondent, District Registrar as one of the parties in the marriage is a foreign citizen. Petitioner submits that 4th respondent to whom she is going to marry is a British citizen and there is no practice in the United Kingdom to issue Single Status Certificate. It is submitted that the 4th respondent has sworn an affidavit before the competent authority declaring Single Status and therefore, he may be permitted to marry petitioner in accordance with the Special Marriage Act, 1954 by producing the affidavit.

2. The purpose of insisting such Single Status Certificate is to ensure compliance of the mandate of Sec.5 of the Special Marriage Act which mandates service of notice in writing to the Marriage Officer of the district in which atleast one of the parties to the marriage has resided for a period of not less than thirty

days immediately preceding the date on which such notice is given. However, on account of want of appointment of Marriage Officer in a foreign country, authorities find it difficult to serve notice. However, in order to sub-serve the purpose of notice, this Court insisted for production of Single Status Certificate.

3. Having considered the grievance of the review petitioner that she is unable to serve Single Status Certificate, I am of the view, based on the affidavit sworn by the foreigner duly executed before the authority, necessary action shall be taken by the authority to allow them to marry in accordance with the Special Marriage Act, 1954.

The judgment is reviewed to the above extent.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.