

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

WP(C).No. 904 of 2015 (K)

PETITIONER(S):

- 1. JANEESH PRABHAKARAN, AGED 32 YEARS,
S/O.PRABHAKARAN, KALAVOOR HOUSE,
THALIKULAM P.O, THAMPANKADAVU,
THRISUUR - 680 569.**
- 2. EMMYLOU TAMAYO, AGED 31 YEARS,
D/O.ERNESTO TAMAYO 41-2, FATIMA VILLAGE,
DAVAO CITY, PHILIPPINES.**

**BY ADVS.SRI.K.I.SAGEER
SRI.K.M.NASARUDHEEN**

RESPONDENT(S):

- 1. SUB REGISTRAR, SUB REGISTRARS OFFICE,
VATANAPPILLY, THRISSUR, PIN - 680 514.**
- 2. STATE OF KERALA,
REP. BY ITS SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF SOCIAL WELFRE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**

BY SENIOR GOVT. PLEADER SRI.MUHAMMED SHAFI.M

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 22-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXHIBIT P1: A TRUE COPY OF THE RELEVANT EXTRACT OF THE PASSPORT
(NO. K 7978365) OF THE 1ST PETITIONER.
- EXHIBIT P2: A TRUE COPY OF THE RELEVANT EXTRACT OF THE VISA OF THE
1ST PETITIONER.
- EXHIBIT P3: A TRUE COPY OF THE RELEVANT EXTRACT OF THE PASSPORT
(NO EB 2210922) OF THE 2ND PETITIONER.
- EXHIBIT P4 : A TRUE COPY OF THE RELEVANT EXTRACT OF THE VISA OF THE
2ND PETITIONER.
- EXHIBIT P5 : A TRUE COPY OF THE CERTIFICATE ISSUED BY THE OFFICE OF THE
CIVIL REGISTRAR GENERAL, NATIONAL STATISTIS OFFICE, MANILA,
REPUBLIC OF PHILIPPINES DATED 13.3.2014.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.A. TO JUDGE

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P.R. RAMACHANDRA MENON, J.

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W.P.(C). No.904 of 2015

Dated this the 22nd day of January, 2015

JUDGMENT

The petitioners have approached this Court with the following prayer:

“Issue a writ of mandamus or any other appropriate writ, order or direction directing the 1st respondent to accept notice under Section 5 of the Special Marriage Act, 1954 from the petitioners and to register their marriage and issue certificate to them in accordance with law.”

2. When the matter came up for consideration on 9.1.2015, the following interim order was passed.

“Learned Government Pleader takes notice for the respondents.

2. There will be an interim direction to accept the notice of marriage submitted by the 1st petitioner on a provisional basis. Registration of marriage shall be subject to further orders to be passed by this Court. In the meanwhile, the 1st petitioner shall produce necessary certificate from the concerned country to which the 2nd petitioner belongs to the effect that, said petitioner is eligible to contract marriage under the relevant provision of law.

Post when moved again.”

3. Today when the matter is taken up the learned counsel for the petitioners submits that, necessary certificate with regard to the status of the 2nd petitioner has been produced as Ext.P5 along with I.A. No. 856 of 2015.

4. Heard the learned Government Pleader as well.

5. After hearing both the sides, this Court finds that, it is for the 1st respondent to verify the genuineness of Ext.P5 Certificate and pursue further steps to cause the registration of marriage of the petitioner with the foreign national, if there is no other legal impediment. This shall be done as expeditiously as possible at any rate, within 'one week' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 1st respondent for further steps. The writ petition is disposed of.

**P.R. RAMACHANDRA MENON,
JUDGE.**