

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

WP(C).No. 29839 of 2015 (D)

PETITIONER(S):

ZUHARABI V.M., AGED 58 YEARS
D/O.MAMMAD KOYA
NADUVILAKAM HOUSE
P.O.ARAKKINAR, KOZHIKODE DISTRICT.

BY ADV. SRI.V.N.RAMESAN NAMBISAN

RESPONDENT(S):

CORPORATION OF KOZHIKODE
REPRESENTED BY ITS SECRETARY,
KOZHIKODE - 673 001.

R BY SRI.K.D.BABU,SC,KOZHIKODE CORPORATION

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) No.29839 OF 2015

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE DIVORCE CERTIFICATE ISSUED TO THE PETITIONER DATED 18.6.2008
- EXHIBIT P2 : TRUE COPY OF THE RELEVANT PAGES OF THE MARRIAGE REGISTER DATED 12.8.2015
- EXHIBIT P3 : TRUE COPY OF THE RELEVANT PAGES OF THE MARRIAGE CERTIFICATE DATED 12.8.2015
- EXHIBIT P4 : TRUE COPIES OF THE APPLICATION SUBMITTED BY THE PETITIONER AND HER HUSBAND FOR THE MARRIAGE CERTIFICATE.

RESPONDENT(S) EXHIBITS

NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.29839 of 2015

Dated this the 6th day of October, 2015

J U D G M E N T

The petitioner is a divorced woman evidenced by Ext.P1 divorce certificate. She has married again evidenced by Ext.P2 marriage register and Ext.P3 marriage certificate. The person whom she has re-married is also a divorced man. That is inconsequential since Personal Law permits a Muslim man to have more than one wife.

2. A typographical error in Ext.P4 application for marriage certificate is highlighted. The person whom the petitioner has re-married is shown as 'unmarried'. It should have been written as 'married and divorced' in the application for marriage certificate.

3. The marriage requires to be compulsorily registered in the light of decision in Seema v. Ashwani Kumar [2006 (1) KLT 791 (SC)]. The petitioner is free to make a fresh application for registration of the marriage. Any motion made in that regard by the petitioner shall be dealt with by the respondent accordingly. The certificate after registering the re-

marriage of the petitioner shall be issued by the respondent within a month.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj/06.10.15