

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

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

WP(C).No. 30219 of 2015 (B)

PETITIONER :

**RINCY REGI, AGED 26,
D/O.REGI, PULLIYATTEL HOUSE, KOTTAKUNNU
BATHERY P.O., WAYANAD DISTRICT, KERALA
PIN-673 592.**

BY ADV. SRI.JACOB E. SIMON

RESPONDENTS :

- 1. THE SUB REGISTRAR/MARRIAGE OFFICER,
SUB REGISTRAR OFFICE, SULTHANBATHERY, WAYANAD DISTRICT
PIN-673 592.**
- 2. INSPECTOR GENERAL OF REGISTRATION,
VANCHIYOOR, THIRUVANANTHAPURAM, PIN-695 035.**
- 3. THE STATE OF KERALA,
REPRESENTED BY PRINCIPAL SECRETARY TO GOVERNMENT
TAX (REGISTRATION) DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM, PIN-695 001.**

R1 TO R3 BY GOVT. PLEADER SMT.C.K. SHERIN

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

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...2/-

WP(C).No. 30219 of 2015 (B)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT. P1 TRUE COPY OF THE RELEVANT PORTION OF THE PASSPORT OF THE
 VIMAL JOS.**
- EXT. P2 NOTICE OF INTENDED MARRIAGE SUBMITTED BEFORE THE FIRST
 RESPONDENT AS PER THE PROVISIONS OF SECTION 5 OF THE
 SPECIAL MARRIAGE ACT-1954 ON 25-9-2015.**
- EXT. P3 TRUE COPY OF THE REJECTION ORDER ISSUED BY THE FIRST
 RESPONDENT NUMBERED AS DATED 26-9-2015.**
- EXT. P4 TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN
 WP(C)16893/2015.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.30219/2015**  
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Dated this the 6th Day of October, 2015

J U D G M E N T

The petitioner, an Indian citizen. She wants to marry a foreign national having citizenship of USA. She has approached this Court on account of non acceptance of notice under the Special Marriage Act.

2. In view of the several judgments of this Court in similar circumstances, there is no impediment in Indian citizens marrying Foreign citizens under the Special Marriage Act. Therefore, the following directions are issued:

- i. The first respondent shall receive notice of Marriage under the Special Marriage Act.
- ii. The date of notice has to be reckoned as on today.
- iii. Marriage shall be registered on the expiry period of 30 days from today in accordance with the provisions of the Special Marriage Act.

W.P.(C).No.30219/2015

-:2:-

iv. The petitioner, before registration of marriage, shall produced necessary credible documents to show the single status of the Foreign National to the satisfaction of the Marriage Officer.

The writ petition is disposed of, as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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