

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 9TH DAY OF NOVEMBER 2015/18TH KARTHIKA, 1937

WP(C).No. 33780 of 2015 (V)

PETITIONER:

**BINU JOHN, AGED 30 YEARS,
S/O.SRI.V.A.JOHN, RESIDING AT
BIJU BHAVAN, SOUTH ARYAD,
AVALUKKUNNU.P.O., ALAPPUZHA - 688 006.**

**BY ADVS.SRI.C.S.DIAS
SRI.N.K.SUBRAMANIAN
SMT.B.BINDU
SRI.T.V.SREEJITH**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF REGISTRATION, SECRETARIAT,
THIRUVANANTHAPURAM- 695 001.**
- 2. INSPECTOR GENERAL,
OFFICE OF THE INSPECTOR GENERAL & REGISTRATION,
VANCHIYOOR P.O., THIRUVANANTHAPURAM- 695 035.**
- 3. MARRIAGE OFFICER,
SUB REGISTRARS OFFICE, IRUMPUPALAM P.O.,
ALAPPUZHA- 688 001.**

BY SENIOR GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT P1- TRUE COPY OF RELEVANT PAGE OF NIMMY GIERLINGER'S PASSPORT BEARING NO.C1V5N9C8N ISSUE BY THE GOVERNMENT OF GERMANY.
- EXT P2- TRUE COPY OF RELEVANT PAGE OF NIMMY GIERLINGER'S CERTIFICATE OF REGISTRATION BEARING NO.A1562556.
- EXT P3- TRUE COPY OF NO OBJECTION CERTIFICATE DATED 29/09/2015 ISSUED BY THE VICE COUNSEL, CONSULATE OF GERMANY, BANGALORE.
- EXT P4- TRUE COPY OF CERTIFICATE ISSUED BY FREE AND HANSEATIC CITY OF HAMBURG DATED 30/07/2015.
- EXT P5- TRUE COPY OF NOTICE OF THE INTENDED MARRIAGE DATED 26/10/2015 SIGNED BY THE PETITIONER AND NIMMY GIERLINGER.
- EXT P6- TRUE COPY OF PETITIONER'S PASSPORT BEARING NO.J5251726.
- EXT P7- TRUE COPY OF CERTIFICATE ISSUED BY THE HOSTEL WHERE NIMMY GIERLINGER HAS BEEN RESIDING FROM 29/06/2014 TO 12/10/2015.
- EXT P8- TRUE COPY OF CIRCULAR DATED 8/08/14 ALONG WITH THE RELIED EARLIER CIRCULARS ISSUED BY THE 2ND RESPONDENT.
- EXT P9- TRUE COPY OF JUDGMENT DATED 09/12/14 PASSED BY THIS HONOURABLE COURT IN WPC NO.32876/2014.
- EXT P10- TRUE COPY OF JUDGMENT DATED 05/12/14 PASSED BY THIS HONOURABLE COURT IN WPC NO.29057/2014.

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 33780 of 2015

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Dated this the 9th day of November, 2015

J U D G M E N T

The petitioner, an Indian citizen wants to marry a foreign national of Germany. The petitioner approached this Court on account of refusal to receive notice under the Special Marriage Act.

2. In view of the several judgments of this Court, there shall be a direction to the third respondent to receive notice of Marriage under Special marriage Act and directed to register the marriage on production of single status of the foreign national, in accordance with the provisions of the Special Marriage Act. The notice has to be reckoned as on the date of today and the marriage has to be registered on the expiry period of 30 days from today on condition that the petitioner shall produce single status of the foreign national to the satisfaction of the Marriage officer.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE