

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937Q

WP(C).No. 36328 of 2015 (M)

PETITIONER :

**T. ANJANA, AGED 27 YEARS
MULLOOR HOUSE, THIRUVALLAM,
THIRUVANANTHAPURAM.**

**BY ADVS.SRI.SUMAN CHAKRAVARTHY
SMT.K.R.RIJA**

RESPONDENT(S) :

- 1. THE DEPUTY DIRECTOR OF PANCHAYAT
AND REGISTRAR GENERAL OF MARRIAGES (COMMON)
THIRUVANANTHAPURAM- 695 001.**
- 2. THE LOCAL REGISTRAR OF MARRIAGES (COMMON) &
SECRETARY VELLARADA GRAMA PANCHAYATH
THIRUVANANTHAPURAM - 695 001.**

**R1 BY GOVT. PLEADER SMT. K.A. SANJEETHA
R2 BY ADV. SRI.J.S.AJITHKUMAR, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 36328 of 2015 (M)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT.P-1: TRUE COPY OF THE JUDGEMENT DATED 14.7.2015 IN
 WPCRL. 299/2015.**
- EXT.P-2: TRUE COPY OF THE CERTIFICATE OF MARRIAGE DATED 8.7.2015.**
- EXT.P-3: TRUE COPY OF THE AFFIDAVIT ALONG WITH THE APPLICATION
 UNDER RULE 13.**
- EXT.P-4: TRUE COPY OF THE REPLY DATED 3.9.2015 BY IST RESPONDENT.**
- EXT.P-5: TRUE COPY OF THE CLARIFICATION LETTER DATED 21.10.2015 BY
 THE IST RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

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K. HARILAL, J.

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W.P. (C) No. 36328 of 2015

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Dated this the 2nd day of December, 2015

J U D G M E N T

According to the petitioner, one Jayesh has created documents to the effect that marriage of the petitioner with the said Jayesh was conducted on 20.05.2015, at JM Hall. However, no such incident had occurred, and on the enquiry conducted by the family members of the petitioner, it was found that the said Jayesh obtained a letter from the Manager of the said hall through a worker. However, relying on the said letter, the 2nd respondent, without knowing the sequence of events had issued the certificate of marriage under Rule 11(1) of the Kerala Registration of Marriage Common Rules, 2008(*hereinafter referred to as 'the Rules'*), which is marked, as Ext.P2 in this Writ Petition. When the matter came to the knowledge of the petitioner, the petitioner had approached the 2nd respondent under Rule 13 of the

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Rules, for cancelling Ext.P2 marriage certificate. The grievance of the petitioner is that even though the 2nd respondent has obtained clarification under Exts.P4 and P5, the 2nd respondent has not taken a decision so far, despite, the long lapse of time.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.

3. According to the petitioner, no marriage has been taken place between the petitioner and the aforesaid Jayesh and he has fraudulently obtained letter from the office of the JM Hall, where the marriage is said to have been solemnised. Therefore, the marriage registered relying on the fraudulent documents requires to be set aside, at the earliest.

4. Having regard to the grievance ventilated through the pleadings in this Writ Petition, the 2nd

-: 3 :-

respondent is directed to consider Ext.P3 and pass orders thereon, at the earliest, at any rate, within a period of two weeks, from the date of receipt of a copy of this judgment, after affording an opportunity of being heard, to the petitioner and all other concerned parties.

This Writ Petition is disposed of accordingly.

Sd/-
K. HARILAL,
JUDGE

DST

//True copy//

P.A. To Judge