

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 10TH DAY OF DECEMBER 2015/19TH AGRAHAYANA, 1937

WP(C).No. 37519 of 2015 (I)

PETITIONER(S):

**ARUN JIMMY, S/O.JIMMY ELIAS,
PATTASSERIL HOUSE, BHS ROAD,
TRIPUNITHURA-682 301.**

**BY ADVS.SRI.PHILIP T.VARGHESE,
SRI.THOMAS T.VARGHESE,
SMT.ACHU SUBHA ABRAHAM,
SMT.K.R.MONISHA.**

RESPONDENT(S):

**THE MARRIAGE OFFICER UNDER THE
SPECIAL MARRIAGE ACT (THE SUB REGISTRAR),
TRIPUNITHURA-682 301.**

BY GOVT. PLEADER SMT.C.K. SHERIN.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE PAGES 1, 2, 3, 5 AND 36 OF THE PASSPORT OF THE PETITIONER DATED 18/01/2011.
- EXT.P2 COPY OF THE PAGES 1 AND 2 OF THE PASSPORT OF MS.MANILA XIONGSONGKI DATED 22/06/2011.
- EXT.P3 COPY OF THE CERTIFIED TRANSLATION FO CERTIFICATE OF MARITAL STATUS OF MS.MANILA XIONGSONGKI ISSUED BY CHIEF OF NASHONG VILLAGE DATED 11/09/2015.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.Muhamed Mustaque, J.

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W.P.(C)No.37519 of 2015

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Dated this the 10th day of December, 2015.

JUDGMENT

1. The petitioner, an Indian citizen intend to marry Ms.Manila Xionsongki, a citizen of Peoples Democratic Republic of Lao. The petitioner has approached this Court on account of non-acceptance of notice under 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 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.

iv)The petitioner, before registration of marriage, shall produce 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.

Muhamed Mustaque, Judge.

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