

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.T.SANKARAN
&
THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

WP(Crl.).No. 107 of 2015 (S)

PETITIONER:

KIRAN S AGED 26 YEARS
S/O.SURESHCHANDRA BABU, 'CHITHRALAYA', CHAKRAPANIPURAM
PUTHUKULANGARA PO, UZHAMALAKKAL VILLAGE
NEDUMANGAD TALUK, THIRUVANANTHAPURAM 695541

BY ADV. SRI.AYYAPPAN SANKAR

RESPONDENTS:

1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT
HOME DEPARTMENT, GOVERNMENT SECRETARIAT, STATUE,
THIRUVANANTHAPURAM 695001
2. SUB INSPECTOR OF POLICE
ADOOR POLICE STATION, ADOOR, PATHANAMTHITTA DISTRICT
3. DEPUTY SUPERINTENDENT OF POLICE
ADOOR, PATHANAMTHITTA DISTRICT
4. AS.JOSEPH, AGED ABOUT 57 YEARS
ANEDATHU MELATHIL , PERINGANADU PO, ADOOR
PATHANAMTHITTA DISTRICT 691528
5. JOBIN, AGED 33 YEARS
S/O.A.S.JOSEPH, ANEDATHU MELATHIL, PERINGANADU PO
ADOOR, PATHANAMTHITTA DISTRICT 691528

R1-3 BY ADDL.DIRECTOR GENERAL OF PROSECUTION MR. TOM JOSE
PADINJAREKKARA

R4-R5 BY ADV. SRI.D.KISHORE

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON
17-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(Crl.).No. 107 of 2015 (S)

APPENDIX

PETITIONER(S)' EXHIBITS

P1:TRUE PHOTOCOPY OF THE DRIVING LICENSE OF PETITIONER

P2:TRUE PHOTOCOPY OF ELECTORAL IDENTITY CARD OF JIJIN P.JOSEPH

P3:TRUE PHOTOCOPY OF NOTICE OF INTENDED MARRIAGE ISSUED FROM THE
MARRIAGE OFFICER, ARYANAD ALONG WITH FEE RECEIPT AND
ACKNOWLEDGMENT

P4:TRUE PHOTOCOPY OF THE PETITION SUBMITTED BEFORE RESPONDENTS 2
AND 3 ALONG WITH RECEIPT THEROF DATED 11.03.2015

RESPONDENT(S)' EXHIBITS

NIL

ks.

True copy

P.S. (Hr.Gr.)To Judge

**K.T. SANKARAN
&
BABU MATHEW P. JOSEPH, JJ.**

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W.P.(Crl.) No. 107 of 2015

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Dated this the 17th day of March, 2015

JUDGMENT

K.T. Sankaran, J.

The petitioner, Kiran. S., states that he is in love with Jijin P. Joseph, the daughter of the 4th respondent, A.S. Joseph. Kiran and Jijin decided to register the marriage under the Special Marriage Act. A notice was given under the Special Marriage Act. It is stated that the marriage was to take place on 6.3.2015. The petitioner alleges that before that date Jijin P. Joseph was forcibly taken away by

her parents from the rented house where she was staying with her friends.

2. The petitioner, Jijin P. Joseph and her father (4th respondent) are present today. Jijin P. Joseph states that she wants to marry the petitioner with the blessings of her father. The father of Jijin P. Joseph stated that he has no objection in Kiran marrying his daughter, Jijin P. Joseph. in accordance with law. Since both parties stated that notice was given under the Special Marriage Act and that marriage can be registered on any day, we direct the petitioner, Kiran. S., and Jijin P. Joseph to appear before the Marriage Officer, Aryanadu on 19.3.2015 at 10 a.m.

Since there is no dispute between the parties now, it is not necessary to keep this writ petition pending. If for any reason Kiran. S. and Jijin P. Joseph fail to appear before the Marriage Officer on 19.3.2015, any of the parties would be entitled to file a memo in this writ petition in which event

this writ petition shall stand revived and shall be posted on the next day.

The writ petition is accordingly closed.

**Sd/-
K.T. SANKARAN
JUDGE**

**Sd/-
BABU MATHEW P. JOSEPH
JUDGE**

ks

True copy

P.S. (Hr.Gr.)To Judge

