

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.T.SANKARAN  
&  
THE HONOURABLE MR. JUSTICE P.D.RAJAN

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

WP(Crl.).No. 131 of 2015 (S)

PETITIONER(S):

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GEORGE K.P., AGED 49 YEARS  
S/O. POULOSE, KARUMATTU KILITHATTIL HOUSE  
MALAYIDAMTHURUTHU P.O., 683561 KIZHAKKAMBALAM  
KUNNATHUNADU TALUK, ERNAKULAM DISTRICT

BY ADVS.SRI.V.RAJENDRAN (PERUMBAVOOR)  
SRI.GEORGE VARGHESE KIZHAKKAMBALAM

RESPONDENT(S):

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1. STATE OF KERALA,  
REPRESENTED BY PRINCIPAL SECRETARY  
DEPARTMENT OF HOME AFFAIRS, SECRETARIAT  
THIRUVANANTHAPURAM 695001
  2. THE DIRECTOR GENERAL OF POLICE,  
STATE OF KERALA, POLICE HEAD QUARTERS  
THIRUVANANTHAPURTAM-695001
  3. CIRCLE INSPECTOR OF POLICE,  
KUNNATHUNADU, PATTIMATTOM PO, PIN 683562
  4. SUB INSPECTOR OF POLICE  
THDIYITTAPARAMBU POLICE STATION  
THDIYITTAPARAMBU P.O., PIN- 683105
  5. MANU, AGED ABOUT 25  
S/O. MOHANAN, MANU BHAVAN, KRISHNAPURAM PO  
KAYAMKULAM MOBILE NO.9745635340  
MOBILE NO.OF DETENUE: 9645996264

R1 -R 4 BY ADV. ADDL.DIRECTOR GENERAL OF PROSECUTION  
SRI.TOM JOSE PADINJAREKKARA

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON  
01-04-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

WP(Crl.).No. 131 of 2015 (S)

APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT P1: TRUE COPY OF RELEVANT PAGE OF THE PASS PORT BEARING  
NO.K. 5985002 OF THE DETENUE TO SHOW THE DATE OF BIRTH  
OF THE DETENUE

EXHIBIT P2: TRUE COPY OF PETITION FILED BY THE PETITIONER BEFORE THE  
4TH RESPONDENT ON 24.3.2015

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

**K.T.SANKARAN & P.D.RAJAN, JJ.**

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W.P.(Crl.) No.131 of 2015  
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Dated this the 1<sup>st</sup> day of April, 2015

**JUDGMENT**

**K.T.Sankaran, J.**

The petitioner alleged in the Writ Petition that his only daughter Riya George, who was studying for the second year B.Pharm course at St.James College, Chalakkudy, was missing from 24.3.2015 onwards and she has been under the illegal custody of the fifth respondent.

2. The petitioner, Riya George and the fifth respondent are present. Riya George stated that her marriage with the fifth respondent was solemnised at Karimankavu Sivaparvathy Temple, Mattappally, Nooranadu.P.O. on 27.3.2015 and that marriage was registered under the Kerala Registration of

Marriages (Common) Rules, 2008. Riya belongs to Christian community and the fifth respondent belongs to Hindu community. Therefore, the marriage allegedly solemnised on 27.3.2015 was not a legal customary marriage. Riya George stated that notice was given on 24.3.2015 for registration of their marriage under the Special Marriage Act and they will appear before the Registrar at the appropriate time and the marriage will be registered.

3. The petitioner stated that since his daughter married the fifth respondent and since they are living together, he does not want to disturb them. His only interest is that Riya should not discontinue her studies and the fifth respondent may be directed not to put pressure on her to discontinue her studies. The fifth respondent stated that he has no objection in Riya George continuing her studies and he is also interested in her

completing the B.Pharm course. This statement is recorded. Since the petitioner expressed the view that he has no objection in Riya George living with the fifth respondent, we close the Writ Petition. The fifth respondent and Riya George shall appear before Court on 25.5.2015 with the marriage certificate issued under the Special Marriage Act.

Post on 25.5.2015 for production of the marriage certificate. The Writ Petition is disposed of as above.

**K.T.SANKARAN  
JUDGE**

**P.D.RAJAN  
JUDGE**

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