

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.No.5708 OF 2015

N.Vincy

.. Petitioner

Versus

1. The District Registrar (Admn.),
Karungalpalayam,
Erode District.

2. The Sub Registrar (Registration),
Office of District Registrar,
Karungalpalayam,
Erode District.

3. Mr.C.Leo Freddy Joshua,

4. K.Kasthuri

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the first respondent to consider and pass orders on the representation made by the petitioner dated 23.01.2015 relating to cancel the marriage registration certificate issued by the second respondent in Marriage Sl.No.138/2014 dated 12.03.2014 made under Tamil Nadu Registration of Marriages Act, 2009 and to initiate appropriate criminal action against the fourth respondent and the witnesses to the said marriage within the period to be stipulated by this Court.

For Petitioner : Mr.R.Chandrasekaran

For Respondent : Mr.R.Vijayakumar
Additional Govt. Pleader for Rr1 and 2

O R D E R

Heard Mr.R.Chandrasekaran, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader accepting for the respondents 1 and 2.

2. With the consent of either side, the writ petition is

taken up for final disposal. In view of the order proposed to be passed in this writ petition, no notice need to be ordered to the respondents 3 and 4.

3. The petitioner seeks for a direction upon the first respondent to consider her representation dated 23.01.2015, wherein, the petitioner has requested for cancellation of the marriage registration certificate issued by the second respondent in Sl.No.138/2014 dated 12.03.2014 under the provisions of the Tamil Nadu Registration of Marriages Act, 2009. The second limb of the prayer sought for is to initiate criminal action against the fourth respondent.

4. So far as the second limb of the prayer to initiate criminal action against the fourth respondent, it is open to the petitioner to pursue her complaint before the police and this Court is not inclined to go into that aspect at this juncture, since this writ petition is disposed of without notice to the respondents 3 and 4.

5. It is seen that the representation given by the petitioner is pending before the first respondent. In the light of the above facts, without going into the merits of the petitioner's claim in the representation dated 23.01.2015, there will be a direction to the first respondent to consider the petitioner's representation dated 23.01.2015, issue notice to the petitioner and the respondents 3 and 4 and conduct an enquiry and thereafter, to pass appropriate orders on merits and in accordance with law, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gg

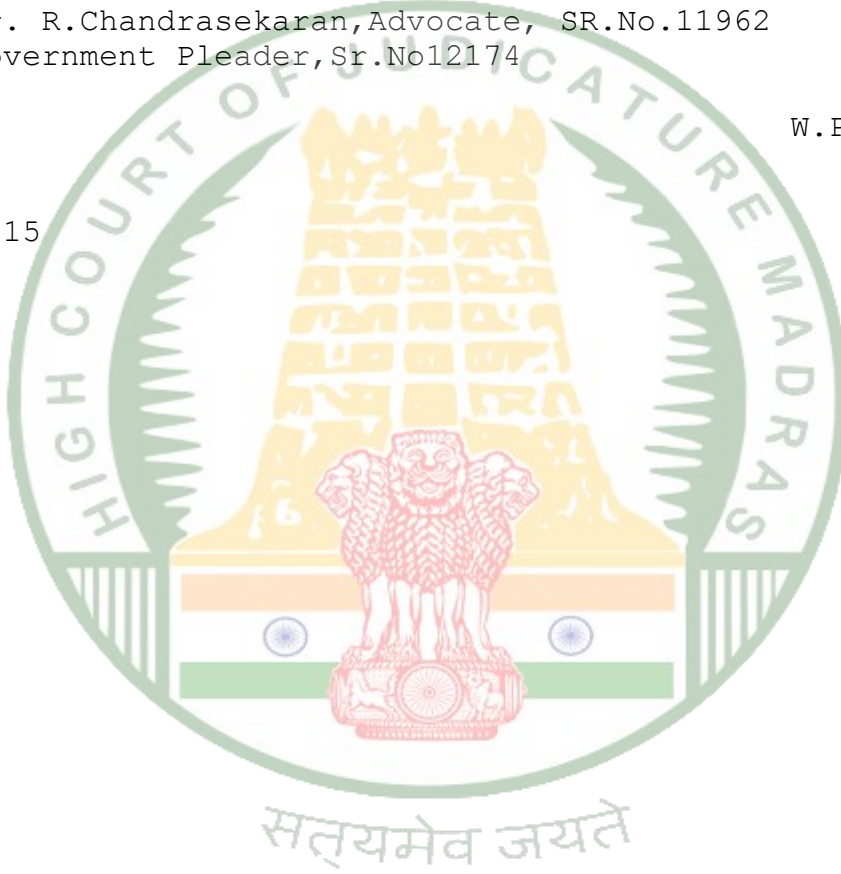
To

1. The District Registrar (Admn.),
Karungalpalayam,
Erode District.
2. The Sub Registrar (Registration),
Office of District Registrar,
Karungalpalayam,
Erode District.

1 cc to Mr. R.Chandrasekaran, Advocate, SR.No.11962
1 cc to Government Pleader, Sr.No12174

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pmk.9.3.2015



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