

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.2015 of 2016

1.Guha
2.Nargees Fathima

... Petitioners

vs.

The Registrar of Marriages,
Chennai North Joint -I,
Chennai 600 001.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to cancel the marriage certificate entry in Marriage Sl.No.5107 of 2015.

For Petitioners : Mr.Ilanthiraiyan for
M/s.Sai Bharath and Ilan

For Respondent : Mr.M.Dig Vijaya Pnadian, AGP

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondent to cancel the marriage certificate entry in Marriage Sl.No.5107 of 2015.

2. It is the case of the petitioners that they got acquainted with each other during sports practice sessions and due to peer pressure and in a childish mentality, they had signed in the application form as if they were married at No.18, Lingi Chetty Strteet, Mannady, Chennai -1. Based on the same, an entry was made in the Marriage Registration register in Sl.No.5107/2015.

3. According to the petitioners, no marriage actually took place either under the Hindu Law or under the Muslim Law or under suyamariathai fashion or in any other manner and their declaration to the respondent that they were married, was erroneous, as such, they made a representation dated 11.12.2015 to cancel the entry made in the marriage register, but the same was not considered by the respondent. Therefore, the petitioners have filed the present writ petition for the above stated relief.

4. Heard the learned counsel for the petitioners and the learned Additional Government Pleader appearing for the respondent.

5. The relief sought for in this writ petition is to direct the respondent to annul the marriage that took place between the petitioners on 25.11.2015. In my considered view, such prayer cannot be granted, since the remedy is available to the petitioners only before the Civil forum.

6. In such view of the matter, the writ petition is dismissed. However, the petitioners are at liberty to approach the appropriate civil court, if they are so advised. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

The Registrar of Marriages,
Chennai North Joint -I,
Chennai 600 001.

+1 cc to Mr.Sai Bharath & Ilan Advocate sr.8557
+1 cc to Government Pleader sr.8548

W.P.No.2015 of 2016

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