

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2017

CORAM

THE HON'BLE Mr.JUSTICE A.SELVAM
and
THE HON'BLE Mr.JUSTICE P.KALAIYARASAN

W.P.No.11419 of 2017

G.Nagadevi

... Petitioner

Vs

1. The District Registrar
(Chennai North)
(Marriage Registrar)
Old No.37/New No.91
Waltax Road
Near Thirupalli Bus Stop
Chennai - 600 079

2. Mr.L.Ayyasamy

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the District Magistrate, Chennai North, Chennai (Marriage Registrar) to first respondent herein to consider the claim of the petitioner for cancellation of the Marriage Certificate issued in Marriage Serial No.1536/2015 dated 8.5.2015 on the ground of fraud on Registration as guided in the Circular of I.G Chennai issued in Circular No.67 (C.No.52338/C1/2011) dated 03.11.2012 and in the light of the judgment of this Court reported in 2014 (3) MLJ 383 by passing orders on the representation of the petitioner dated 22.03.2017 within a short date that may be fixed by this Court.

For Petitioner : Mr.K.Rajkumar

For Respondents : Mr.R.Vijayakumar,
Additional Government Pleader
for R1

Mr.B.Vijay for R2

O R D E R
[Order of the Court was made by A.SELVAM, J.]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to direct the first respondent to look into the representation dated 22.03.2017, in respect of fraudulent registration of marriage, as guided in the Circular No.67 dated 03.11.2011, by way of issuing a writ of mandamus.

2.The learned counsel appearing for the petitioner has advanced his arguments on the basis of averments made in the petition.

3.The learned Additional Government Pleader has submitted a copy of the Circular dated 20.10.2017 issued by the Government of Tamil Nadu, wherein, it has been clearly stated that Circular No.67 dated 03.11.2011 has already been withdrawn.

4.The learned counsel appearing for the second respondent has contended that for an identical relief, O.P.No.104 of 2016 is pending on the file of Sub-Court, Tenkasi.

5.Considering the fact that already O.P.No.104 of 2016 has been filed before proper forum for getting identical relief, it is needless to say that the relief in the petition has become infructuous.

In fine, the writ petition is dismissed without costs, as infructuous.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gpa
To

The District Registrar
(Chennai North) (Marriage Registrar)
Old No.37/New No.91
Waltax Road
Near Thirupalli Bus Stop
Chennai - 600 079

+lcc to Mr.K.Rajkumar, Advocate, S.R.No.75409
+lcc to Mr.B.Vijay, Advocate, S.R.No.75416

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AR IV
CA(15/11/2017)