

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 09.11.2018

Pronounced on : 16.11.2018

CORAM :

THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No. 17614 of 2013

S.Prabhu ... Petitioner

vs.

1.The Inspector General of Registration,
Santhome, Chennai.

2.The District Registrar,
Cuddalore.

3.L.Baskaran

4.Gopalakrishnan ... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus to direct the 2nd respondent herein to implement the order of the 1st respondent in Ka.No.3238/G42012-III dated 28.02.2012 by lodging a police complaint against the 3rd and 4th respondents for the offence of tampering/manipulating forging the public documents maintained by the Sub-Registrar's Office at Cuddalore by removing the marriage entry of the petitioner with his wife Mrs. Uma Maheswari @ Maheswari Narayanan dated 17.06.2009 in Registration No. 660 of 2009 on the file of the Sub - Registrar's Office at Cuddalore and also based on the complaint lodged by the petitioner to the 1st respondent dated 05.01.2012 and the subsequent representations of the petitioner.

For Petitioner : Mr. R.Subramanian

For Respondents: Mr.P.P.Purushothaman
Government Advocate for R.1 & R.2

M/s. A.K.Mayilsamy Associates
for R.3 & R.4

O R D E R

The instant writ petition is for a direction to direct the 2nd respondent herein to implement the order of the 1st respondent in Ka.No.3238/G42012-III dated 28.02.2012 by lodging a police complaint against the 3rd and 4th respondents for the offence of tampering/manipulating forging the public documents maintained by the Sub-Registrar's Office at Cuddalore by removing the marriage entry of the petitioner with his wife Mrs. Uma Maheswari @ Maheswari Narayanan dated 17.06.2009 in Registration No. 660 of 2009 on the file of the Sub - Registrar's Office at Cuddalore and also based on the complaint lodged by the petitioner to the 1st respondent dated 05.01.2012 and the subsequent representations of the petitioner.

2. The petitioner states that he got married with one Uma Maheswari on 17.06.2009. It is stated that at the time of marriage, his wife Uma Maheswari was studying and hence she did not inform about the marriage to her parents. The petitioner states that marriage had been registered in the Office of the Sub-Registrar, Cuddalore. It is stated that on 10.12.2011, he was informed that his marriage registration in the Sub-Registrar's Office, Cuddalore was removed from internet and there was no proof of the marriage between him and Uma Maheswari in the Office of the Sub-Registrar, Cuddalore.

3. The petitioner states that he had verified the internet and he found that against the certificate number the name of the husband and wife is shown as Aravind and Ananth. It is stated by the petitioner that he lodged a complaint before the Office of the Sub-Registrar who also accepted that the changes had been done by somebody in the Office of the Sub-Registrar. It is stated by the writ petitioner that he was advised to lodge a criminal complaint. It is also stated that on 28.02.2012 the Inspector General of Registration had issued orders for lodging a police complaint.

4. It is stated that despite such orders, no action has been taken on the complaint made by the petitioner. Writ petition is not an appropriate remedy to redress the grievances of the petitioner. The petitioner has to file a criminal complaint before the Police and if the Police refuse to register a case he may approach a superior officer or move the petition under Section 156(3) of the Cr.P.C. before Munsif Court or file a complaint under Section 200 of the Cr.P.C. before the concerned Magistrate. Writ petition is not the remedy to redress the grievances of the writ petitioner. If petitioner is

so advised to file an appropriate complaint either before the Police or move before the concerned Magistrate under Section 200 of Cr.P.C.

5. Accordingly the writ petition stands dismissed. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

gsp/pkn
To

1.The Inspector General of Registration,
Santhome, Chennai.

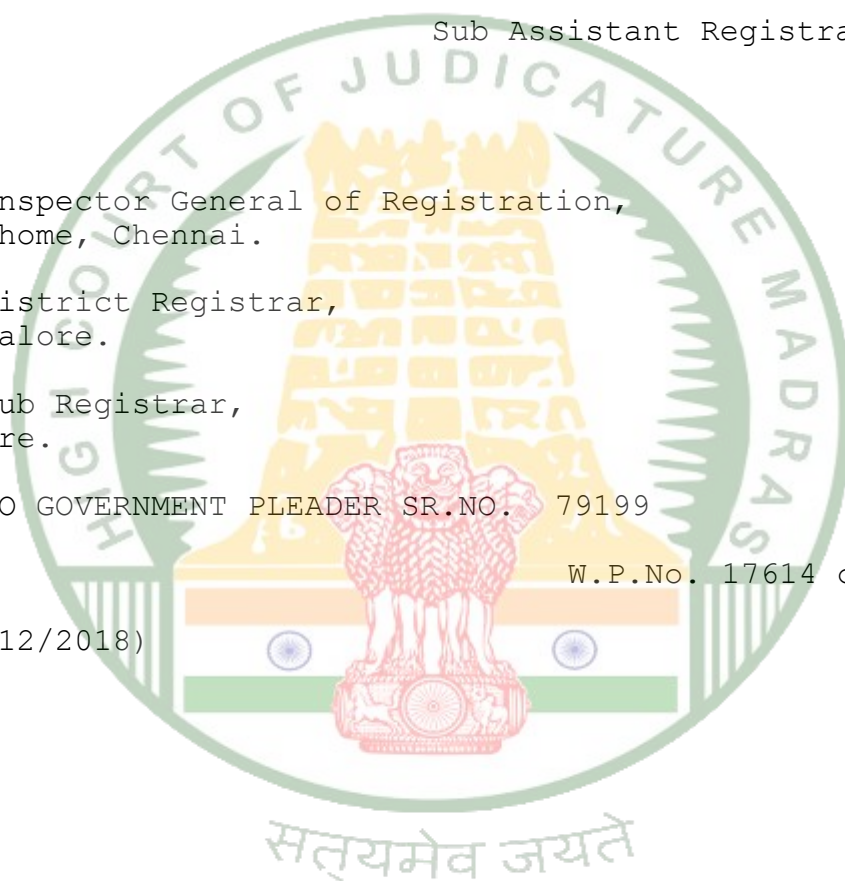
2.The District Registrar,
Cuddalore.

3.The Sub Registrar,
Cuddalore.

+1 CC TO GOVERNMENT PLEADER SR.NO. 79199

W.P.No. 17614 of 2013

ASK(11/12/2018)



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