

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 28815 of 2019
and
W.M.P. No. 28554 of 2019

R. Sruthi

... Petitioner

Vs.

1. Inspector General of Registration
Santhome High Road
Chennai - 600 028.

2. The Registrar of Marriages
Uthukkottai
Thiruvallur District.

3. Sadam Hussain

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records pertaining to the Registration of the petitioner's Marriage along with the 3rd respondent registered in Marriage Serial No. 586 of 2018 dated 07.09.2018, on the file of the Marriage Registrar, Uthukottai, Thiruvallur Taluk, Thiruvallur District and quash the same.

For Petitioner : Mr. G. Karthikeyan

For Respondents : Mr. T.M. Pappiah (For R1 & R2)
Special Government Pleader

O R D E R

When it is pointed out that it has not been shown that the Registering Authority has power to annul a marriage and that the Hon'ble Supreme Court of India in Gullipilli Sowria Raj -vs- Bandaru Pavani alias Gullipiolli Pavani [(2009) 1 SCC 714] has held that mere registration would not validate a marriage and that the Petitioner has to approach the jurisdictional Family Court to institute a suit to obtain a decree for declaration that there is no marital relationship between the Petitioner and the Third Respondent in the light of the interpretation of

Section 7(1)(a) of the Family Courts Act, 1984, made by the Hon'ble Supreme Court of India in the decision in Balram Yadav -vs- Fulmaniya Yadav [(2016) 13 SCC 308], and other consequential reliefs arising therefrom, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort to the same, and he has made an endorsement to that effect, which is recorded.

2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

may

To

1. Inspector General of Registration
Santhome High Road
Chennai - 600 028.
2. The Registrar of Marriages
Uthukkotai
Thiruvallur District.

+1 cc to the Government Pleader, S.R.No.85103

W.P. No. 28815 of 2019

JP(CO)
SSM(04/10/2019)

सत्यमेव जयते

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