



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P.(MD)No.3085 of 2019

and

W.M.P(MD) .No.2287 of 2019

A.Jenifer

... Petitioner

Vs

1.The Inspector General of Registrations,
O/o., The Inspector General of Registrations,
No.100, Santhome High Road,
Chennai-600 028.

2.The Marriage Registrar,
No.2, Sub-Registrar,
Sub-Registrar Office,
Pattukkottai & Taluk,
Thanjavur District.

3.R.Rajendran

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the certificate of Registration of Marriage in Serial No.M.No.15/2013 dated 08.02.2013 on the file of the second respondent quash the same and consequently direct the first respondent to delete and remove the same from the Marriage Register within a period stipulated by this Court.

For Petitioner: Mr.R.Diwakar for M/s.D.Geetha

For R1 & R2 : Mr.M.Murugan

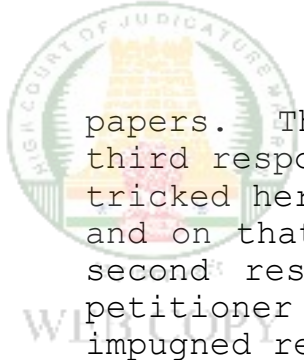
Government Advocate

For R3 : No appearance

ORDER

Heard the learned counsel on either side. Notice has been effected on the third respondent and his name is also printed in the cause list, but he has not chosen to enter appearance either in person or through counsel.

2. The case of the petitioner is that she is a qualified nurse and that she came in touch with the third respondent, who suggested to her that if she goes to Australia, she should be able to have a decent career. Therefore, the petitioner interacted with the third respondent for processing her passport application. In that connection, the petitioner had affixed her signature in several



papers. The specific allegation of the writ petitioner is that the third respondent along with his associate, namely, one Mr.Sundaravelu tricked her into making certain statements and signing certain forms and on that basis, a certificate for registration was issued by the second respondent, as if there was a marriage between the writ petitioner and the third respondent. Therefore, challenging the impugned registration, the present Writ Petition has been filed.

3. The writ petitioner is a Christian. The third respondent is the Hindu. Therefore, the marriage under the Hindu Marriage Act, could not have been performed. The age of the writ petitioner is 29. The age of the third respondent is 61. The narration set out in the affidavit filed in support of the writ petitioner impels this Court to believe that no marriage was actually solemnized between the writ petitioner and the third respondent. In any event, the third respondent has not appeared before this Court to contest and controvert the averments and allegation made by the writ petitioner.

4. The learned counsel for the writ petitioner draws my attention to the various orders passed by the Principal Bench of this Court in W.P.No.34508 of 2015, W.P.No.26871 of 2016 and W.P.No.18910 of 2018. In those writ petitions, after coming to the conclusion that false marriage was made, this Court has quashed the same.

5. Respectfully following those orders, I hold that the petitioner is entitled the relief sought for in this writ petition. Therefore, the petition mentioned registration stands quashed. The Writ Petition is allowed accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS)

rmk

To

1.The Inspector General of Registrations,
O/o., The Inspector General of Registrations,
No.100, Santhome High Road,
Chennai-600 028.

2.The Marriage Registrar,
No.2, Sub-Registrar,
Sub-Registrar Office,
Pattukkottai & Taluk,
Thanjavur District.



+1 CC to M/s.B.JEYAKUMAR, Advocate (SR-58995[F] dated 04/04/2019)
+1 CC to M/s.SPL GP (SR-59554[F] dated 08/04/2019)

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ES/30.04.2019/3P/5C