



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2019

CORAM:

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

W.P. (MD) No.3856 of 2019

D.Paul Kirubhakaran

... Petitioner

Vs

1.The District Collector,
Dindigul District,
Dindigul.

2.The Superintendent of Police,
Dindigul District,
Dindigul.

3.The Revenue Divisional Officer,
Palani, Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to impugned proceedings in N.Y./28098/09/14 dated 13.11.2009 issued by the first respondent and quash the same as illegal and arbitrary and consequently direct the first respondent to issue Marriage Registrar License to the petitioner under Section 3, 6 and 9 of Indian Christian Marriage Act, 1872 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.A.D.Ganesha Moorthi

For Respondents : Mr.M.Rajarajan
Government Advocate

ORDER

Heard the learned counsel on either side.

2. The writ petitioner submitted an application for being designated as a Marriage Registrar. After holding a detailed enquiry and after getting report from the superintendent of Police, Dindigul, the first respondent rejected the petitioner's application. The said order is under challenge in this writ petition.



3. It is seen that the impugned order was passed on 13.11.2009. It was also immediately communicated to the writ petitioner. The petitioner has filed this writ petition only on 19.02.2019. There is a delay of almost ten years in filing this writ petition. Any writ petitioner will have to approach the Court within a reasonable period. Though the law of limitation does not apply to invocation of jurisdiction under Article 226 of the Constitution of India, the doctrine of laches is very much applicable.

4. The petitioner has not assigned any reason for the delay occasioned, in the affidavit filed in support of the writ petition. The petitioner cannot casually mount a challenge to a statutory order passed by a statutory authority. Therefore, this Court is not inclined to interfere with the order passed.

5. This Writ Petition is dismissed accordingly. No costs.

Sd/-

Assistant Registrar(P&A)

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Sub Assistant Registrar(CS)

To

1. The District Collector,
Dindigul District,
Dindigul.

2. The Superintendent of Police,
Dindigul District,
Dindigul.

3. The Revenue Divisional Officer,
Palani, Dindigul District.

+1 CC to M/s.A.D.GANESHA MOORTHY, Advocate in SR-56370

W.P. (MD) No. 3856 of 2019
22.03.2019

rmk

PK/22.04.2019 : 2P/5C