

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.09.2021

CORAM:

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.30438 of 2016
and WMP No.26390 of 2016

R.Vignesh

.. Petitioner

Vs.

1. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.

2. Inspector of Police,
Poonamallee, Chennai – 600 056.

3. Roseline

4. Balan

.. Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, forbearing the respondents 1 and 2 from conducting any forcible marriage of the petitioner with the respondent.

For Petitioner : Mr.C.K.M.Appaji

For Respondents : Mr.K.M.D.Muhilan

Government Advocate.

ORDER

The relief sought for in this writ petition is to forbear the respondents 1 and 2 from conducting any forcible marriage of the petitioner with the 3rd respondent.

2. The relief as such sought for cannot be granted in a writ proceedings under Article 226 of the Constitution of India. If there is an attempt for forcible marriage, then the aggrieved person has to approach the jurisdictional police for initiation of appropriate action under the provisions of the Penal Law. Contrarily, High Court cannot issue any such direction, which is sought for based on some apprehension / agreement and any such agreement entered into by coercion or force cannot be enforced. Furthermore, the writ petition is filed in the year 2016 and five years lapsed. Thus, this Court is not inclined to consider the grounds raised in the writ petition.

3. With these observations, the writ petition is disposed of. No Costs. Consequently, the connected Writ Miscellaneous Petition is closed.

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Speaking/Non-speaking order

Index: Yes/No

Internet: Yes

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S.M.SUBRAMANIAM, J.,

ars

To

1. The Superintendant of Police,
Thiruvallur District,
Thiruvallur.

2. Inspector of Police,
Poonamallee, Chennai – 600 056.

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