



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.18385 of 2019

And

W.M.P.No.17735 of 2019

Bhuvaneswari

... Petitioner

Vs.

1.The State of Tamil Nadu rep. by
District Registrar (Administration)
O/o.the District Registrar's Office,
Arakkonam.

2.S.Kumaran

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records on the file of the respondent made in proceedings Nil signed on 11.12.2018 and quash the same and consequently direct the 1st respondent to cancel the Registration of marriage registered in Sl.No.584 of 2016 dated 19.09.2016 (on the file of the Sub Registrar Sholinghur)

For Petitioner : Ms.Selvi George G.

For Respondents : Mr.R.Gokulkrishnan for R1
Government Advocate
M/s.S.Chandrabose for R2

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records on the file of the respondent made in proceedings Nil signed on 11.12.2018 and to quash the same and to consequently direct the first respondent to cancel the Registration of marriage registered in Sl.No.584 of 2016 dated 19.09.2016 (on the file of the Sub Registrar Sholinghur)



2.The case of the petitioner is that the second respondent married the petitioner by way of fraud and coercion and the petitioner on an earlier occasion approached this Court by filing W.P.No.6415 of 2017 seeking to cancel the registration of marriage and this Court vide order dated 07.08.2018 directed the petitioner to submit a fresh complaint to the concerned District Registrar and also issued direction to the concerned District Registrar to issue notice to the second respondent and all other persons concerned and to conduct enquiry and to pass orders. In compliance of the same, the first respondent has passed the impugned order stating that the complaint of the petitioner is not maintainable before the Registrar of the District and if she desires, she may move the competent Court of Law to set aside the registration of her marriage on the file of the Sub Registrar of Sholingur. Challenging the same the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner would submit that without going into the merits of the case, it would suffice, if this Court permits the petitioner to file appropriate petition before competent Court and may fix outer time limit for disposal of the petition that is to be filed by the petitioner.

4.The learned Government Advocate appearing for the first respondent has no objection for the petitioner approaching the competent Court and for fixation of outer time limit.

5.The learned counsel appearing for the second respondent, on instructions would submit that the second respondent is ready to co-operation for early disposal of the petition that is to be filed by the petitioner.

6.In view of the above, this Court permits the petitioner to file appropriate petition before competent Court, within a period of four weeks from the date of receipt of a copy of this order and if any such petition is filed, the concerned Court shall dispose of the same, within a period of six months thereafter.

7.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

//True copy//

Sub Assistant Registrar

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To

1. District Registrar (Administration)
The State of Tamil Nadu
O/o.the District Registrar's Office,
Arakkonam.

+1cc to Mr.S.Chandrabose, Advocate SR.No.57983

+1cc to Ms.Selvi George, Advocate SR.No.58000

+1cc to Government Pleader SR.No.58051

W.P.No.18385 of 2019
And
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PL (CO)
GMY (03/12/2021)