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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2021

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.13800 of 2014

and

M.P.No.1 of 2014

Radhakrishnan

...Petitioner

Vs

1.The Inspector General of Registration,
Santhome, Chennai - 4.

2.The Marriage Registrar,
District Registrar Office,
Cuddalore District - 607 007.

3.Ananda Raj

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records from the respondents No.1 and 2 and in particularly 2nd respondent pertaining to the impugned Marriage Registration Certificate Sl.No.677/2014 with Appendix-II dated 5.5.2014 and quash the same and consequently to direct the respondents No.1 and 2 to take necessary action against the 3rd respondent.

For Petitioner :Mr.P.Vijendran

For Respondents : Mr.K.M.D.Muhilan
Government Advocate
[For R1 & R2]

O R D E R

The Certificate of Registration of marriage issued by the District Registrar on 05.05.2014 is under challenge in the writ petition.

2. The petitioner is the father of Smt.R.Saranya, who married the third respondent. The marriage was registered by the



second respondent and the certificate of registration of marriage was issued.

3. The learned counsel for the petitioner made a submission that the third respondent altered the date of birth of the daughter of the petitioner in an illegal manner and registered the marriage. Thus, the marriage itself is null and void as the daughter of the petitioner, on the date of registration of the marriage, was a minor and has not completed 18 years of age. Pertinently, the petitioner has not challenged any such proceedings issued, altering the date of birth of the daughter of the petitioner. If at all, the alteration of date of birth is made in a wrongful manner, such proceedings are to be challenged. But, even the said proceedings are not produced before this Court. Once, the date of birth is altered appropriately and the marriage is registered, thereafter, the marriage certificate cannot be questioned directly without challenging the proceedings issued alteration of date of birth.

4. This apart, the daughter of the petitioner has not raised any objections regarding the marriage and the third respondent and the daughter of the petitioner is living happily. In view of the fact that the petitioner is unable to accept the marriage, he raised this objection may be on certain compelling reasons and this Court is of the opinion that in such circumstances, the parents should understand the wishes of their children and more so, they should respect the feelings and the decisions taken in respect of their marriage. During the current circumstances, it may not be appropriate for the father to institute such proceedings, challenging the marriage certificate of his own daughter by merely stating that the daughter has altered her date of birth and even such alteration of certificate proceedings are not produced before this Court and admittedly, not challenged any proceedings.

5. This being the factum, this Court is of the opinion that the petitioner should allow his daughter to live along with his son-in-law happily.

6. With these observations, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar



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To

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1.The Inspector General of Registration,
Santhome, Chennai - 4.

2.The Marriage Registrar,
District Registrar Office,
Cuddalore & District - 607 007.

+1cc to Mr.P.Vijendran, Advocate Sr.49667

+1cc to the Government Pleader Sr.50503

W.P.No.13800 of 2014

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srg 18/10/2021