

(In virtual Court)

CWP No.15627 of 2021

Date of Decision: 16.08.2021

Suraj and another

.....Petitioners

Versus

U.T. Chandigarh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Sumit Dua, Advocate for the petitioners.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus directing respondent No.2 to grant the exemption from the police verification (about residence) of petitioner No.2 and issue order for police verification qua petitioner No.1 with a further prayer to direct respondent Nos.3 and 4 to avoid home visit regarding the residential verification of petitioner No.2.

A perusal of the record shows that the petitioners have moved their application before Marriage Officer on 13.07.2021 expressing their intention to get married under The Special Marriage Act, 1954. On receipt of the said application, the Sub Divisional Magistrate-cum-Marriage Officer has ordered for publication of the notice in three languages in three newspapers, as required under the Act. This statutory order for publication is required to enable the concerned persons to file the objections qua the intention of the petitioners to get married. Therefore, there is nothing wrong in the procedure adopted by the Marriage Officer, so far. Rather, he has only followed the statutory provisions.

Although, learned counsel for the petitioners submits that the Marriage Officer is conducting some unauthorized verification of residence of the petitioner No.2, however, there is nothing on record to show that any such step is being taken by the official concerned, by going beyond the powers and procedure prescribed under the Act.

In view of the above, finding no merits in the present petition, the same is dismissed.

(RAJBIR SEHRAWAT)
JUDGE

16.08.2021
sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No