



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

H.C.P.(MD) No.206 of 2022

Jenith @ Selvi

... Petitioner/wife of the detenu
Vs.

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

2.The Inspector of Police,
All Women Police Station,
Malaikottai,
Trichy.

3.Vigneswaran,
President,
Malliyampathu Village Panchayat,
Trichy District.

4.Prabhu

5.Karthick

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Habeas Corpus directing the respondents 1 and 2 to secure the detenu and produce the person or body of the detenu namely Karunakaran, S/o.Pitchairethinam, aged about 33 years from the illegal custody of the respondents 3 to 5 before this Honourable Court and set him at liberty.

For Petitioner

: Mr.T.Lenin Kumar

For R-1 & R-2

: Mr.T.Senthil Kumar

Additional Public Prosecutor

O R D E R

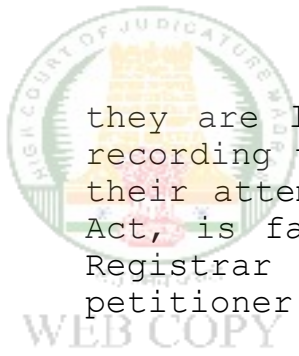
R.SUBRAMANIAN, J.

AND

N.SATHISH KUMAR, J.

The petitioner seeks production of the person of the detenu namely Karunakaran, S/o.Pitchairethinam, aged about 33 years.

2. As per our directions, the jurisdictional police had kept a watch on the detenu and the petitioner. It is stated that



they are living happily and there is no adverse incident. While recording the same, the detenu and the petitioner would express that their attempt to register their marriage under the Special Marriage Act, is facing some hurdles. The petitioner would state that the Registrar is insisting on the consent of the parents of the petitioner and the detenu for registering the marriage.

3. We do not see any such requirement under law. We therefore direct the Joint-I Sub-Registrar, Trichirappalli, to accept the application for registration of the marriage under the Special Marriage Act and follow the requirements of law and register the same without insisting on the consent of the parents of the parties. Such registration shall be done as early as possible.

This Habeas Corpus Petition is disposed of with the above directions.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PM

To:

- 1.The Joint-I Sub Registrar,
Trichirappalli.
- 2.The Superintendent of Police,
Trichy District,
Trichy.
- 3.The Inspector of Police,
All Women Police Station,
Malaikottai, Trichy.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-18260[F] dated 12/04/2022)

H.C.P. (MD) No.206 of 2022

11.04.2022

ck(CO)

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