



W.P.No.7839 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.7839 of 2018

Sweena

...Petitioner

Vs.

1. The District Registrar Office,
Integrated Building of Registration Dept.,
Veppamara Street, Velappadi,
Vellore District.
2. The Sub Registrar Office,
K.V.Kuppam, Katpadi Taluk,
Vellore District.
3. The Inspector of Police,
Latteri Police Station,
Katpadi Taluk ,Vellore District.
4. The Inspector of Police,
Virudhampet Police Station,
Katpadi Taluk, Vellore District.
5. Udaya Kumar

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to conduct proper investigation and dispose of the representation dated 17.11.2017 within



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stipulated time.

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For Petitioner : Mr.D.Saikumaran

For Respondents : Mr.M.S.Premkumar, GA, for R1 to R4
: M/s.M.Jayashree, for R5

ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the 2nd respondent to conduct proper investigation based on the petitioner's representation dated 17.11.2017.

2. The case of the petitioner is that, the 5th respondent had forcibly kidnapped and married the petitioner on 07.06.2017. Immediately, the petitioner's father lodged a complaint against the 5th respondent before the 3rd respondent and the petitioner had also made a representation dated 17.11.2017 before the 1st and 2nd respondents, seeking to cancel the marriage and not to issue marriage certificate. Upon receipt of the said representation, though necessary directions were issued to the 2nd respondent, vide letters dated 20.11.2017 and 27.11.2017, to conduct appropriate enquiry based on the petitioner's representation, however, till



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date, no final order has been passed on the said representation. Hence, this petition.

3. Heard learned counsel on either side and perused the materials placed on record.

4. Though the petitioner has come up with this Writ petition seeking to direct the 2nd respondent to conduct proper enquiry based on the petitioner's representation dated 17.11.2017, however, when this Court raised a question, whether the Sub Registrar has the power to enquire into the legality of the alleged marriage that took place in between the petitioner and the 5th respondent and the only remedy available to the petitioner is under the Hindu Marriage Act, learned counsel for the petitioner restricted the prayer and sought for liberty to approach the competent Family Court to workout the remedy in the manner known to law.

5. Learned counsel appearing for the respective respondents have no objection for granting the above said liberty sought for by the petitioner.



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6. In view of the above submission made by the learned counsel for the petitioner, this Writ Petition stands closed with a liberty to the petitioner to approach the competent forum to workout the remedy in the manner known to law. No costs.

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skt

Speaking Order : Yes/ No

Index : Yes/ No

To

1. The District Registrar Office,
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2. The Sub Registrar Office,
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3. The Inspector of Police,
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4. The Inspector of Police,
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M.DHANDAPANI., J.

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