



W.P.No.7826 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.7826 of 2023

And

W.M.P.Nos.8060 and 8062 of 2023

Illakkiya

... Petitioner

Vs.

1.The Inspector General of Registration/
The Registrar General of Marriage Registration,
No.100, Santhom High Road,
Chennai.

2.The District Registrar,
O/o.The District Registrar,
Erode District.

3.The Sub-Registrar,
O/o.The Sub-Registrar,
Bhavani,
Erode District.

4.Kulandhaivel

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified directing the respondent Nos.2 and 3 to calling for the records in Marriage Registration Certificate in Marriage Sl.No.101/2015 dated 27.08.2015 on the file of the respondent No.3 and quash the same as illegal.



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For Petitioner : Mr.S.M.A.Jinnah
For Respondents : Mr.M.Alagu Goutham for R1 to R3
Government Advocate

ORDER

The petitioner has filed this writ petition seeking to quash the Marriage Registration Certificate in Marriage Sl.No.101/2015 dated 27.08.2015 on the file of the third respondent.

2.The case of the petitioner is that during the year 2015, the fourth respondent contacted the petitioner and informed her that his friend is going to get married in the third respondent office and asked her to come to the third respondent office and obtained her signature in some documents stating that they are witness documents. Thereafter, when her mother was searching for alliance during the year 2019, the fourth respondent informed that he and the petitioner got married during the year 2018 in the third respondent office. Challenging the Marriage Registration Certificate, the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that marriage inbetween the petitioner and the fourth respondent was



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not performed with the consent of the petitioner, however, the fourth respondent obtained the petitioner's signature in some documents stating that they are witness documents and registered the same on the file of the third respondent.

4.Heard the arguments advanced on either side and perused the materials available on record.

5.The facts in the present case is not in dispute. There is Marriage Registration Certificate to substantiate the marriage inbetween the petitioner and the fourth respondent, however, the petitioner claim that the fourth respondent contacted her and informed her that his friend is going to get married in the third respondent office and asked her to come to the third respondent office and thereafter obtained her signature in some documents stating that they are witness documents.

6.The issue involved in the present writ petition is disputed question of fact, which cannot be decided in the writ petition under Article 226 of the Constitution of India and it can be ventilated only before the competent Civil Forum.



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7. In view of the above, this writ petition is dismissed.

However, liberty is granted to the petitioner to work out the remedy in the manner known to law. No costs. Consequently, the connected miscellaneous petitions are closed.

15.03.2023

pri

Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

1. The Inspector General of Registration/
The Registrar General of Marriage Registration,
No.100, Santhom High Road,
Chennai.
2. The District Registrar,
O/o. The District Registrar,
Erode District.
3. The Sub-Registrar,
O/o. The Sub-Registrar,
Bhavani,
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M.DHANDAPANI,J.
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And
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8062 of 2023

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