



W.P.No.9428 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2023

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

W.P.No.9428 of 2023

D.Malini

...Petitioner

Vs.

1. The Registrar of Marriages,
Office of the Registrar of Marriages,
Ambattur, Chennai.
2. The District Registrar,
Office of the District Registrar,
Ambattur, Chennai.
3. Aanandan
4. Jeganath G.
5. Vinoth
6. Sambandhan

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the 1st Respondent relating to Marriage Registration certificate No.354/2017 dated 15.06.2017 and to quash the aforesaid impugned Marriage Registration certificate and to consequently to direct the 1st Respondent to remove the entry of the Registration of the Impugned Marriage Certificate.

For Petitioner : Mr.S.Sagayanathan



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For Respondents : Mr.M.Alagu Goutam, GA, for R1 & R2

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ORDER

The petitioner has come up with this Writ petition seeking quashment of the proceedings of the 1st respondent in respect of the Marriage Registration certificate No.354/2017 dated 15.06.2017 and to consequently direct the 1st Respondent to remove the entry of the Registration of the Impugned Marriage Certificate.

2. Mr.M.Alagu Goutam, learned Government Advocate takes notice for the 1st and 2nd respondent. In view of the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal at the admission stage itself.

3. Since no adverse order is being passed against the respondents 3 to 6, notice to the private respondents is dispensed with.

4. The case of the petitioner is that the petitioner became acquainted with the 3rd respondent while they were working at TCS Velachery and developed a friendship, which led them to exchange messages and images. While so, since the petitioner refused the 3rd respondent's proposal for



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clandestine & private marriage, the 3rd respondent began to threaten the petitioner stating that, he will kill himself leaving suicide note blaming the petitioner as the reason for his death. While so, on 15.06.2017, the 4th & 5th respondents approached the petitioner stating that they are the relatives and advocates of the 3rd respondent and informed the petitioner that the 3rd respondent attempted to commit suicide. They further stated that, the 3rd respondent can be prevented from committing suicide, if the petitioner agrees to register an application to marry the 3rd respondent at a future date and the petitioner was forced and compelled to accompany them to meet the 3rd respondent. While so, the 3rd respondent, who was stated to be in critical condition also joined the petitioner and the petitioner was taken to several Sub-Registrar offices including Tiruvallur, Ambattur and Avadi, however, none of the Registrars entertained the request to register any application as required by the private respondents. Thereafter, an Advocate along with the private respondents took the petitioner to the 2nd respondent office and obtained her signature stating that, it is only for application for registration of marriage at a future date and thereafter, the petitioner returned to her parents' house. In such circumstances, the 3rd respondent reduced having interactions with the petitioner and shifted his job and



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gradually all meetings and interactions in between the petitioner and the 3rd respondent was stopped. While such being the case, when the petitioner's parents decided to arrange marriage for the petitioner, the 3rd respondent contacted the petitioner's mother and stated that the petitioner married him and the same was registered, vide Marriage Registration certificate No.354/2017 dated 15.06.2017. Pursuant to which, the petitioner made a complaint before the Commissioner of Police as against the respondents herein, which evoked no response. Hence, challenging the said impugned Marriage Registration certificate dated 15.06.2017, the present Writ petition is filed.

5. Learned counsel for the petitioner submitted that, the marriage was registered based on the false declarations made by the private respondents and the forged documents submitted by them and the present impugned Marriage Registration certificate No.354/2017 dated 15.06.2017 was issued by the 1st respondent, without ascertaining any of the facts. Further, the private respondents herein made the petitioner to fill the application and obtained her signature stating that, it is a mere application for registration of marriage at a future date. Hence, he prayed for appropriate orders.



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6. On the above said contentions, heard Learned Government Advocate appearing for the official respondents and perused the materials available on record.

7. Admittedly, the petitioner did not dispute her friendship/relationship with the 3rd respondent and she also did not dispute the fact that the 3rd respondent obtained her signature for registration of marriage at the relevant point of time or at a future point of time. However, it is the claim of the petitioner that, the marriage was not performed at the relevant point of time and the 3rd respondent had emotionally blackmailed the petitioner and obtained here signature in the relevant application stating that, it is for the registration of marriage at a future date.

8. However, on perusal of the material documents placed on record, this Court is of the view that, the issue involved in the present case pertains to disputed questions of facts and the same cannot be entertained under Article 226 of the Constitution of India. Hence, the prayer sought for by the



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petitioner in the present Writ petition cannot be acceded to. However, the petitioner is at liberty to workout the remedy in the manner known to law.

9. For the reasons aforesaid, this Writ Petition stands dismissed. No costs.

28.03.2023
(1/2)

skt

NCC : Yes / No
Speaking Order : Yes / No
Index : Yes / No

To

1. The Registrar of Marriages,
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Ambattur, Chennai.
2. The District Registrar,
Office of the District Registrar,
Ambattur, Chennai.

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W.M.P.No.9503 of 2023

in

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M.DHANDAPANI, J.

Dispense with ordered for the
present.

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(2/2)

skt