



W.P(MD)No.5732 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.5732 of 2023

Vadamalai

... Petitioner

Vs

1. The Inspector General of Registration,
No.120, Santhome High Road,
Santhome, Chennai - 600 028.
2. The District Registrar,
Office at No.10, Kancheepuram Main Road,
Chengalpattu.
3. The Sub - Registrar,
Madurandakam Sub Registration Office,
Madurandakam, Chengalpattu District.
4. Ayisha Sthika

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 2nd and 3rd respondents to cancel the marriage certificate issued by the 3rd respondent herein, bearing No.TMR/Madurandakam/91/2021 dated 17.9.2021 as not valid so as to that to cancel the marriage solemnized in between the petitioner



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and 4th respondent, dated 17.09.2021 as null and void and consider the representation of the petitioner dated 13.12.2022.

For Petitioner : Mr.P.Venkatesan

For R1 to R3 : Mr.C.Satheesh
Government Advocate

ORDER

The Writ Petition has been filed in the nature of mandamus to direct the second and third respondents/District Registrar and Sub Registrar of Chengalpattu, District to cancel the marriage certificate issued by the third respondent, bearing No.TMR/Madurandakam/91/2021, dated 17.9.2021 as not valid and cancel the marriage solemnized between the petitioner and the fourth respondent on 17.09.2021 as null and void.

2. I am not able to understand how the writ petition is maintainable.

3.The petitioner claims that the marriage between him and the fourth respondent was registered on 17.09.2021. The registration would have been done only in the presence of the petitioner. In the affidavit, the age of



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the petitioner is stated as 23 years. Therefore, he must have had the knowledge about the factum of registration and must have gone through the process of registration.

4.In the affidavit, the petitioner has stated that the fourth respondent is not a stranger and that he had known her. He had a relationship with her. The reason the petitioner seeks the relief is that has now secured a job in the Indian Air Force and he probably is of the opinion, he would get a better bride.

5.That can never been appreciated by this Court. Once a marriage was solemnized, it will stand and if the marriage is registered, then he has to approach the appropriate Court, let in evidence and get necessary order from a Court of law. Only a Family Court or a Sub Court are competent to pass such an order. The Writ Court cannot grant any such relief to the petitioner. The interest of the fourth respondent will have to be taken into consideration.



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6.In view of the above facts, this writ petition stands dismissed.

No costs.

16.03.2023

NCS : Yes/No
Index : Yes / No
Internet: Yes/ No
PNM

To

1. The Inspector General of Registration,
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Santhome, Chennai - 600 028.
2. The District Registrar,
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3. The Sub - Registrar,
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C.V.KARTHIKEYAN, J.

PNM

ORDER IN
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