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W.P.(MD)NO.18546 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.18546 of 2015

Balu @ Balasubramani

... Petitioner

Vs.

1. The District Collector,
Dindigul District, Dindigul.
2. The Superintendent of Police,
Dindigul, Dindigul District.
3. The District Registrar,
District Registrar Office,
Dindigul, Dindigul District.
4. The Revenue Divisional Officer,
Dindigul Division,
Dindigul, Dindigul District.
5. The Tahsildar,
Kodaikanal Taluk, Dindigul District.
6. Paulraj
7. The Sub Registrar,
O/o.The Sub Registrar,
Kodaikanal.
(R-7 is suo motu impleaded
vide order dated 24.7.2023)

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing



the respondents 1 to 5 to take appropriate action based on the representation made by the petitioner dated 17.07.2015 and to take necessary legal action against the 6th respondent for creating false registration certificate and misusing the same for obtaining the Government job and to cancel the marriage registration certificate registered at the Kodaikanal Sub Registrar office in Document No.13/2009 dated 22.07.2009.

For Petitioner : Mr.A.Jayaramachandran

For R-1 to R-5
&R-7 : Mr.N.Satheesh Kumar,
Additional Government Pleader.

For R-6 : Mr.N.Satheesh Babu

* * *

ORDER

Heard the learned counsel on either side.

2. The case of the petitioner is that he married one Prema. It was an inter-caste marriage. The petitioner belongs to B.C. community whereas Prema belongs to S.C. Community. The allegation is that the sixth respondent managed to create record as if Prema was his wife. The sixth respondent also obtained employment as Village Assistant on the strength of the inter-caste marriage certificate. When the petitioner



became aware of the same, complaint was lodged before the first respondent. Contending that no action has been taken, this writ petition came to be filed.

3. When the matter was taken up for hearing, the learned Additional Government Pleader submitted that the sixth respondent has since been dismissed from service. An entry has also been made that the registration of document No.13 of 2009 dated 22.07.2009 was based on false particulars. As rightly submitted by the learned counsel appearing for the petitioner, this may not be sufficient.

4. Since I am satisfied that the registration of marriage is vitiated by fraud, I direct the the Sub Registrar, Kodaikanal to formally cancel the registration of document No.13 of 2009 registered on his file. This shall be done immediately and without any delay. This writ petition stands allowed. No costs.

24.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU



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To:

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2. The Superintendent of Police,
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Dindigul District.
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6. The Sub Registrar,
O/o.The Sub Registrar,
Kodaikanal.



WEB COPY



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G.R.SWAMINATHAN,J.

PMU

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