



WP (MD) No.3067 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**WP(MD)No.3067 of 2016 and
WMP(MD)No.2695 of 2016**

Narkees Banu

... Petitioner

Vs

- 1.The Inspector General of Marriages,
Office of the Registrar General,
No.100, Santhome High Road,
Chennai.
- 2.The Deputy Inspector General of Marriage,
Integrated Sub Registrar Office,
Rajakambeeram, Y.Othakadai,
Madurai.
- 3.The District Registrar of Marriage,
Office of the District Registrar,
Dindigul District 624003.
- 4.The Registrar of Marriages,
Sanarpatti Sub Registrar Office,
Sanarpatti, Dindigul District.
- 5.The Inspector of Police,
South Gate Police Station,
Madurai City.

6.P.Pandiswaran

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus calling for the entire records pertaining to the Marriage Certificate in Serial No.164/2015, dated 25.11.2015 on the file of the 4th respondent and quash the same as illegal and consequently direct the respondents 1 to 3 to take appropriate action against the 4th respondent for the illegal registration of the marriage in S.No.164/2015 dated 25.11.2015.

For petitioner : Mr.T.M.Madasamy

For Respondent : Mr.G.V.Vairam Santhosh,
Nos.1,2 & 4 Additional Government Pleader

For Respondent : No appearance
No.3

ORDER

The 4th respondent / the Registrar of Marriage has registered the marriage between the petitioner's daughter Riswana with one Pandiswaran/ the 6th respondent herein. The date of birth of Riswana is 07.07.1998 and on the date of marriage i.e., 25.11.2015 she was aged only 17 years. However, by forging the date of birth in the transfer certificate, the 6th respondent with the help of 4th respondent has registered the marriage and therefore, the petitioner / the mother has filed this writ petition to set aside the marriage registration done in the year 2015.



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2.The learned Government Advocate appearing for respondent No.5 by relying on the counter affidavit submits that based on the complaint of the petitioner a case in Crime No.739 of 2015 was registered on the file of the South Gate Police Station for the offence under Section 366(A), 465 and 468 IPC r/w 9 of the Prohibition of Child Marriage Act 2006. They also found that the school transfer certificate of Riswana has been tampered with and the final report has been filed in SC.No.336 of 2018 before the learned Sessions Judge, Mahila Court, Madurai. He further submits that the petitioner's daughter Riswana and the 6th respondent living together.

3.The learned Additional Government Pleader appearing for respondents 1 to 4 submits that for registering the marriage by using the forged document, the departmental proceedings were also initiated as against the officer one Kanneeswari, Sub Registrar, Sanarpatti and the same is pending.

4.Recording the above submissions made by the learned Additional Government Pleader and the learned Government Advocate, this writ petition is closed. However, the respondents shall prosecute the criminal case registered



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against the 6th respondent and also proceed with the departmental proceedings. No costs. Consequently connected miscellaneous petition is closed.

10.10.2023

dsk

To

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B.PUGALENDHI, J.

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