



W.P.(MD)No.7097 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.7097 of 2016
and W.M.P.(MD)No.6031 of 2016

P.Vanitha

... Petitioner

versus

1. The Registrar of Marriages,
Kanyakumari @ Nagercoil,
District Registrar's Office,
Nagercoil,
Kanyakumari District.

2. S.Kannan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorari, to call for the records relating to the impugned Certificate of Registration of Marriage issued by the first respondent in Marriage Sl.No.395 of 2015 dated 25.05.2015 and quash the same as illegal.

For Petitioner : Mr.M.Jerin Mathew
For R1 : Mr.M.Ramesh,
Government Advocate



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For R2 : No appearance

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ORDER

The petitioner has filed this writ petition challenging the marriage certificate registered on the file of the first respondent in Marriage Sl.No.395 of 2015 dated 25.05.2015.

2. The learned counsel appearing for the petitioner submits that the impugned marriage certificate has been registered on the file of the first respondent that there was a marriage solemnized between the petitioner and the second respondent on 03.04.2015 at Krishna Mahal, Chettikulam Junction, Nagercoil, According to the petitioner, no such marriage had taken place and the petitioner was also not present in the Registrar's Office on 25.05.2015.

3. Though this Court, on 12.04.2016 and 14.02.2017, has ordered notice to the second respondent, it was returned with an endorsement that the second respondent has left India.



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4. Further, the first respondent/the Registrar of Nagercoil has not filed any counter affidavit, denying the averment made by the petitioner.

5. Since the petitioner's averment has not been controverted by the respondents, this writ petition deserves to be allowed on that ground alone.

6. Accordingly, this writ petition is allowed and the Certificate of Registration of Marriage issued by the first respondent dated 25.05.2015 is quashed. No costs. Consequently, connected miscellaneous petition is closed.

06.10.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.



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B.PUGALENDHI, J.

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