



W.P.(MD)No.7188 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.7188 of 2016

P.Vinitha

... Petitioner

versus

1. The District Registrar,
(Administration)
Madurai North, Thirumohur Road,
Rajakambiram Village,
Madurai – 625 023.

2. The Sub Registrar,
Chokkikulam Sub Registry,
Thirumohur Road,
Othakadai,
Madurai – 625 023.

3. V.Selvam

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
seeking for the issuance of Writ of Certiorarified Mandamus, to call for
the records of the 2nd respondent relating to the Marriage Registration



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Certificate Sl.No.46 of 2016 dated 10.02.2016 and quash the same by directing the 2nd respondent to remove the said regulation by petitioner's representation dated 21.03.2016.

For Petitioner : Mr.S.Veluchamy
For R1 and R2 : Mr.G.Suriya Ananth,
Additional Government Pleader
For R3 : Mr.M.S.Jeya Karthick

ORDER

The petitioner has filed this writ petition that the Marriage Registration Certificate No.46 of 2016 dated 10.03.2016 has been fraudulently registered.

2. The case of the petitioner is that on 10.02.2016, while she was standing in the bus stand, 3rd respondent herein came there and took her to the Sub-Registrar's Office as if he is performing a love marriage in the Sub-Registrar's Office and for the purpose of attestation, she was requested to accompany the 3rd respondent. In the guise of the



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attestation, the 3rd respondent has obtained the petitioner's signature and now, he has created the document as if the marriage was performed between him and the petitioner. With this specific allegation, the petitioner has filed this writ petition on 12.04.2016.

3. This writ petition is pending from the year 2016. The petitioner has made a specific allegation against the 3rd respondent that her signature was obtained fraudulently. The 3rd respondent has also entered appearance through a counsel. However, the petitioner's averment has not been denied by the 3rd respondent so far.

4. It is reported that the petitioner as well as the 3rd respondent are living separately. The 3rd respondent has filed an application for restitution of conjugal rights and that application was also dismissed.

5. Since the specific averment made by the petitioner as to the manner in which the signature was obtained in the Marriage Register is



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not denied, this writ petition is allowed. The Marriage Registration

Certificate dated 10.02.2016 issued by the 2nd respondent is set aside.

No costs.

12.10.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

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(Administration)
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B.PUGALENDHI, J.

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