



WEB COPY

W.P.No.24327 of 2018



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P.No.24327 of 2018

and

W.M.P.No.28344 of 2018

S.Durga

D/o G.Srinivasan

... Petitioner

vs.

1. The Inspector General of Registration,
No.100, santhome High Road,
Mylapore,
Chennai - 600 004.

2. The District Registrar,
O/o The Registrar,
Chennai North,
Chennai.

3. The Registrar of Marriages,
District Registrar Office,
Chennai North, Joint-I,
Chennai.

4. B.Sundara Vikram,
S/o S.Buddhanesan

..Respondents.

Prayer in W.P. : Writ Petition filed under Article 226 of the constitution

to issue a Writ of Certiorarified mandamus to call for the records



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pertaining to the certificate of marriage registered in S.I.No.1477 of 2013 dated 28.06.2013 by the 3rd respondent and quash the same and consequently direct the 3rd respondent to delete/ revoke/ cancel and remove the same from the records of marriage on the file of the office of the 3rd respondent.

For Petitioner : Mr.S.Ilamuhil

For Respondents : Mr.Bharanidharan
Additional Government Pleader
for R1 to R3
Mr.A.Arumugam for R4

ORDER

This writ petition has been filed challenging the certificate of marriage registered in Sl.No.1477 of 2013 dated 28.06.2013 by the 3rd respondent and consequently direct the 3rd respondent to delete/ revoke/ cancel and remove the same from the records of marriage on the file of the office of the 3rd respondent.

2. The case of the petitioner is that she joined Bachelor Dental Surgeon Course at Shree Balaji Dental College, Chennai between 2009 to 2013 and developed friendly relationship with the 4th respondent. The 4th respondent in a casual manner entered into challenge with his friends that he will marry the petitioner without her knowledge and when the



petitioner approached the 4th respondent to obtain attestation in her educational certificates, the 4th respondent took the petitioner to the 3rd respondent office for the purpose of obtaining attestation in the certificates and made her to stand outside the office of the 3rd respondent and the 4th respondent obtained the signature of the petitioner in an application form and insisted for photograph and the same was also provided by the petitioner. After nearly 10 days, the 4th respondent gave the attested copies of the educational certificates and other certificates to the petitioner. The petitioner completed the course in the year 2014 and there was no contact with the 4th respondent. In the month of February, 2018, when the petitioner's parents were busy in searching for a suitable bride, the 4th respondent informed the petitioner about the registration of marriage. Thereafter, the petitioner along with her parents and the 4th respondent approached the 3rd respondent and made oral representation to revoke the certificate of marriage in Sl.No.1477 of 2013 dated 28.06.1013. However, the 3rd respondent failed to consider the oral representation of the petitioner and the 4th respondent and directed them to approach the issue in the manner known to law. The 3rd respondent, did not consider the fact that a division bench of this Court, in identical case in a batch of writ petitions, interfered and rescued similar girls like



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the petitioner and quashed the certificate of marriage which were registered on the basis of the so called marriages solemnized by Advocate at their office. Hence, the present writ petition for the aforesaid relief.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. The 4th respondent do not have any objection in allowing this writ petition. There is also no claim against each other, i.e., the petitioner and the 4th respondent. Therefore, the certificate of marriage dated 28.06.2013 is liable to be set aside. Accordingly, the certificate of marriage registered in Sl.No.1477 of 2013 dated 28.06.2013 by the 3rd respondent is set aside and the 3rd respondent is directed to cancel and remove the same from the records of marriage on the file of the office of the 3rd respondent. Accordingly, the Writ Petition stands allowed. No costs. Consequently connected miscellaneous petition is closed.

06.03.2024

Index :yes/No
Speaking /Non speaking order
vsi

To



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J.NISHA BANU, J.

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