



W.P(MD)No.3427 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.3427 of 2017

Sornamariammal

: Petitioner

Vs.

- 1.The Sub-Registrar,
O/o.The Aruppukkottai Sub Registrar,
Aruppukkottai,
Virudhunagar District.
- 2.The District Registrar,
O/o.The District Registrar,
Virudhunagar, Virudhunagar District.
- 3.The Deputy Inspector General of Registration,
O/o.The DIG of Registration,
Virudhunagar, Virudhunagar District.
- 4.The District Superintendent of Police,
Virudhunagar, Virudhunagar District.
- 5.The Inspector of Police,
Aruppukottai Town Police Station,
Aruppukottai, Virudhunagar District.

6.Jeya Prakash

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the first



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respondent to cancel the fraudulently registered the forged Marriage Certificate SI.No.490 of 2016, dated 26.12.2019 registered in the Sub Registrar Office, Aruppukottai, Virudhuangar District based on the petition, dated 23.01.2017.

For Petitioner : Mr.B.Char Murugan
For Respondents : Mr.N.Prakash,
Additional Government Pleader, for R1 to R3.
: Mrs.M.Aasha,
Government Advocate (Civil Side), for R4 & R5
: No Appearance, for R6.

ORDER

This Writ Petition has been filed seeking issuance of Writ of Mandamus, directing the first respondent to cancel the fraudulently registered the forged Marriage Certificate SI.No.490 of 2016, dated 26.12.2019 registered in the Sub Registrar Office, Aruppukottai, Virudhuangar District based on the petition, dated 23.01.2017.

2. The learned counsel appearing for the petitioner would submit that the petitioner's daughter has eloped with the sixth respondent and after marriage, they have applied for registration of marriage, the petitioner has given objections. But the first respondent without hearing the petitioner has



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registered the marriage and issued the certificate and that the petitioner was constrained to file the present writ petition.

3. Admittedly, the petitioner's daughter and the sixth respondent are majors and the first respondent after considering the mandatory requirements has registered the marriage and registered the impugned certificate.

4. The main contention of the writ petitioner is that they have produced some fake documents for registering the marriage and according to him, they have produced the receipt issued by the temple authorities, but, there was no such receipt issued by the said authority.

5. This Court is at loss to understand the *locus standi* of the petitioner to raise such objection, even according to the petitioner, the petitioner's daughter and the sixth respondent are now living separately and happily.

6. The learned Additional Government Pleader would submit that there is no provision and the first respondent is not having any power to cancel the marriage certificate on the ground that it was allegedly obtained



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fraudulently.

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7. Viewing from any angle, this Writ petition is not maintainable and the same is liable to be dismissed. Accordingly, the Writ Petition is dismissed. No costs.

18.04.2024

NCC :yes/No
Index :yes/No
Internet:yes/No
das

To

- 1.The Sub-Registrar,
O/o.The Aruppukkottai Sub Registrar,
Aruppukkottai,
Virudhunagar District.
- 2.The District Registrar,
O/o.The District Registrar,
Virudhunagar, Virudhunagar District.
- 3.The Deputy Inspector General of Registration,
O/o.The DIG of Registration,
Virudhunagar, Virudhunagar District.
- 4.The District Superintendent of Police,
Virudhunagar, Virudhunagar District.
- 5.The Inspector of Police,
Aruppukkottai Town Police Station,



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Aruppukottai, Virudhunagar District.

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K.MURALI SHANKAR, J

DAS

Order made in
W.P(MD)No.3427 of 2017

Dated : 18.04.2024