



WEB COPY

WP No. 48786 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2026

CORAM

**THE HONOURABLE MR JUSTICE SENTHILKUMAR
RAMAMOORTHY**

WP No. 48786 of 2025

1. Arulthava
W/o.Kathikeyan, No.4/189,
Avinashilingapalayam, Guyavan
Thottam, Palangarai, Avinashi Taluk,
Tiruppur District-641 654.

Petitioner(s)

Vs

1. The Inspector General Of
Registration,
Mylapore, Chennai.

2.The District Registrar
Tiruppur District, Tiruppur.

3.The Sub Registrar
Avinasi Sub -registrar Office, Avinasi,
Tiruppur District.

Respondent(s)

PRAYER: This writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent to dispose of the petitioners notice for Registration NSM/ ONLINE/ 2166176/ 2025 which is made with appropriate government fees dated 07.05.2025 and also by registering the petitioners marriage under special marriage act within the stipulated period of time fixed by this Honourable Court.



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For Petitioner(s): A.Susai Roshan
R.Samraj David
V.Jeevitha

For Respondents: Mr.U.Baranidharan, Spl.Govt.
Pleader

ORDER

The petitioner asserts that she and Mr.Karthikeyan endeavoured to register their marriage under the Special Marriage Act, 1954 (Special Marriage Act). In relation thereto, notice was issued on 07.05.2025 and an inquiry report was submitted by the Village Administrative Officer on 10.05.2024. According to the petitioner, the Sub Registrar was unwilling to proceed further with the application and directed the petitioner to instead file an application for registration under the Hindu Marriage Act, 1955 and Rules framed thereunder. The present writ petition has been filed in these facts and circumstances.

2. Learned Special Government Pleader accepts notice for all the respondents. On the basis of written instructions, he submits that the petitioner's application would be considered after verifying eligibility under the Special Marriage Act and after issuing notice in terms of Section 5 thereof. He also points out that the earlier notice has lapsed in terms of Section 14 of the statute.



3. The record shows that notice was issued on 07.05.2025 and the petitioner was unable to proceed further in view of objections raised by the Marriage Officer. In that process, the time limit specified in Section 14 appears to have elapsed. Nonetheless, it would be appropriate that fresh notice be issued so as to avert any questions with regard to the validity of such marriage at a later date.

4. Therefore, the writ petition is disposed of on the following terms:

(i) The petitioner and Mr.Karthikeyan shall submit a fresh application under the Special Marriage Act within two weeks from the date of receipt of a copy of this order.

(ii) Immediately upon the expiry of the 30 day period for raising objections pursuant to the notice under Section 5, further action for registration shall be taken and such exercise shall be concluded within two weeks from the date of expiry of the notice period. No costs.

08-01-2026

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

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To
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Mylapore, Chennai.
- 2.The District Registrar
Tiruppur District, Tiruppur.
- 3.The Sub Registrar
Avinasi Sub -registrar Office, Avinasi,
Tiruppur District.



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SENTHILKUMAR RAMAMOORTHY J.

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