

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 7TH DAY OF JUNE 2018 / 17TH JYAISHTA, 1940

WP(C).No. 18772 of 2018

PETITIONER

JAYA BELLIKOTH,
AGED 45 YEARS, D/O.KRISHNAN BELLIKOTH,
KARAKUZHI HOUSE, KARAKUZHI, P.O. AJANUR,
KASARAGOD DISTRICT.

BY ADV.SRI.T.K.VIPINDAS

RESPONDENT(S) :

1. THE INSPECTOR GENERAL OF REGISTRATION,
OFFICE OF THE INSPECTOR GENERAL OF REGISTRATION,
VANCHIYOOR, THIRUVANANTHAPURAM - 695 035.
2. THE MARRIAGE OFFICER (SUB REGISTRAR) ,
OFFICE OF THE SUB REGISTRAR, HOSDURG,
KASARAGOD DISTRICT-671315.

BY SENIOR GOVERNMENT PLEADER SRI S.GOPINATHAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07-06-2018,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.V.

APPENDIX

PETITIONER(S) ' EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE RELEVANT PAGES OF THE
PASSPORT (L9155036) OF THE PETITIONER.
- EXHIBIT P2 TRUE COPY OF THE MARRIAGE CERTIFICATE ISSUED BY
SREE VELLIKUNNATHU BHAGAVATHIKAVU DURGA
PRASADAM AUDITORIUM, VELLIKOTH P.O., AJANUR ON
15-1-2017.
- EXHIBIT P3 TRUE COPY OF THE APPLICATION SUBMITTED BY THE
HUSBAND OF THE PETITIONER BEFORE THE
SECRETARY, AJANUR GRAMA PANCHAYAT.
- EXHIBIT P4 THE PRINTOUT OF THE ONLINE NOTICE SUBMITTED BY
THE PETITIONER BEFORE THE 2ND RESPONDENT
HEREIN ON 11-4-2018.
- EXHIBIT P5 THE TRUE COPY OF THE RESIDENCY CERTIFICATE CUM
MARITAL STATUS CERTIFICATE ISSUED FROM TRANBY
MUNICIPALITY, DENMARK ALONG WITH THE
NOTARIZED COPY OF THE ENGLISH TRANSLATION
MADE BY THE APPROVED TRANSLATOR.
- EXHIBIT P6 THE TRUE COPY OF THE PASSPORT OF THE HUSBAND
OF THE PETITIONER HAVING NO.P061900 ISSUED FROM
THE REPUBLIC OF PORTUGUESE.
- EXHIBIT P7 TRUE COPY OF THE JUDGMENT IN W.P(C)13276/2015
DATED 01-06-2015.

RESPONDENTS EXHIBITS: NIL

/TRUE COPY/

K.V.
11.06.2018

P.S.TO JUDGE

A.MUHAMED MUSTAQUE, J.

WP(C) No.18772 of 2018

Dated this the 7th day of June, 2018

JUDGMENT

The petitioner is a Indian National. The petitioner gave notice of marriage under the Special Marriage Act to marry a Portugal National. The petitioner also produced single status certificate issued by the competent authority in Portugal. In view of the fact that there is no marriage officer appointed under the Special Marriage Act, it is not possible to serve notice under the Special Marriage Act to the country of Portugal. This court is consistently taken the view that the single status certificate produced which is found genuine, certainly on acting upon such certificate marriage can be registered. Therefore, on being satisfied that the genuineness of the certificate produced the marriage shall be solemnized in accordance with the Special Marriage Act.

The Writ Petition is disposed of as above.

Sd/-

**A.MUHAMED MUSTAQUE,
JUDGE**

/True copy/

P.S.to Judge