
(2021) 06 KL CK 0171

In the High Court Of Kerala

Case No : Writ Petition (C) No. 11832 Of 2021

Frederic Renet

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 11-06-2021

Acts Referred:

Citation : (2021) 06 KL CK 0171

Hon'ble Judges : Gopinath P, J

Bench : Single Bench

Advocate : P.Jinish Paul, Vidhya A.C

Final Decision : Disposed Of

Judgement

Gopinath P, J

1. The petitioners have approached this court with a grievance that they are not being permitted to register their marriage under the Cochin Christian

Civil Marriage Act, 1920. The learned Government Pleader on instructions submits that the 2nd respondent could not permit registration of the

marriage under the provisions of the aforesaid Act since the petitioners were not residents of erstwhile Cochin State. It is submitted that the aforesaid

Act applies only to the residents of erstwhile Cochin State.

2. Today the learned counsel for the petitioner has placed on record Ext.P11 certificate issued by the Village Officer, Karukutty which shows that the

1st petitioner is a resident of the erstwhile Cochin State. It is not disputed that if one of the parties to the marriage reside within the territorial limits of

erstwhile Cochin State, the marriage can be registered under the provisions of the aforesaid Act.

3. Accordingly this writ petition is disposed of directing the 2nd respondent

to accept Ext.P2 and treat notice of marriage as having been given on the date that Ext.P2 was filed and cause registration of the marriage of the petitioners under the provisions of the Cochin Christian Civil Marriage Act, 1920. If there are any defects in the application made by the petitioners, the petitioners shall immediately cure such defects to enable the 2nd respondent to comply with the directions issued as above. If the petitioners present themselves before the 2nd respondent on 14-06-2021 the marriage shall be registered under the provisions of the Cochin Christian Civil Marriage Act, 1920, on the same day, if necessary by waiving the notice period.