



2026:KER:33547

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE EASWARAN S.

TUESDAY, THE 5TH DAY OF MAY 2026 / 15TH VAISAKHA, 1948

WP(C) NO. 15665 OF 2026

PETITIONER:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

BY ADV.
SRI. HARIGOVIND S. NAIR

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY,
DEPARTMENT OF REGISTRATION, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001.
- 2 SUB REGISTRAR (MARRIAGE OFFICER)
MAVELIKARA, ALAPPUZHA DISTRICT, PIN - 690106.

BY ADV.
SRI. IMAM GRIGORIOUS KARAT - GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
05.05.2026, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



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EASWARAN S., J.**W.P.(C) No. 15665 of 2026**Dated this the 05th day of May, 2026**JUDGMENT**

The petitioner has filed an application to solemnize the marriage under the Special Marriage Act, 1954. According to the petitioner, he proposes to marry a Sri Lankan national name [REDACTED] [REDACTED] holding Passpor [REDACTED] When Ext. P3 notice of intended Marriage along with Ext. P4 notarized affidavit was submitted, the 2nd respondent insisted the petitioner to obtain a No Objection Certificate (NOC) from the Embassy. According to the petitioner, the requirement to furnish NOC from the Embassy is no longer a requirement of law in the light of the judgment of this Court in W.P.(C) No. 249 of 2019 (Ext. P7). Therefore, the petitioner seeks direction to the 2nd respondent to process and solemnize the marriage under the Special Marriage Act, 1954.

2. Heard Sri. S. Harigovind, the learned Counsel for the petitioner and the learned Government Pleader for the respondents.

3. In the light of the law declared by this Court in ***Saranya R. A. v. State of Kerala and Others [W.P.(C) No. 249 of 2019]*** decided on **04.01.2019**, there cannot be any insistence on the part of the 2nd



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respondent which requires the petitioner to obtain a NOC from the Embassy. Therefore, the petitioner is entitled for a direction as sought for.

4. Accordingly, this writ petition is disposed of directing the 2nd respondent to process and solemnize the marriage under the Special Marriage Act, 1954, without insisting on the NOC from the Embassy as well as additional documents. The needful shall be done immediately on the expiry of the statutory period after submission of Ext. P3 notice.

**Sd/-
EASWARAN S.
JUDGE**

Svn



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APPENDIX OF WP(C) NO. 15665 OF 2026

PETITIONER EXHIBITS

- | | |
|------------|--|
| Exhibit P1 | A TRUE COPY OF THE PASSPORT NO. N9527402 OF THE BRIDE |
| Exhibit P2 | A TRUE COPY OF THE VALID VISA DOCUMENT DATED 04.03.2026 ISSUED BY FRRO CHENNAI |
| Exhibit P3 | A TRUE COPY OF THE NOTICE DATED 23.03.2026 ISSUED BY 2ND RESPONDENT |
| Exhibit P4 | A TRUE COPY OF THE NOTARIZED AFFIDAVIT DATED 20.04.2026 |
| Exhibit P5 | A TRUE COPY OF THE AFFIDAVIT ISSUED FROM SRI LANKA BY THE COMPETENT AUTHORITY DECLARING THE MARITAL STATUS OF THE BRIDE DATED 29.12.2025 |
| Exhibit P6 | A TRUE COPY OF COMMUNICATION OF REFUSAL DATED 10.04.2026 ISSUED BY THE 2ND RESPONDENT |
| Exhibit P7 | A TRUE COPY OF THE JUDGMENT DATED 04.01.2019 IN WP(C).NO. 249 OF 2019 |