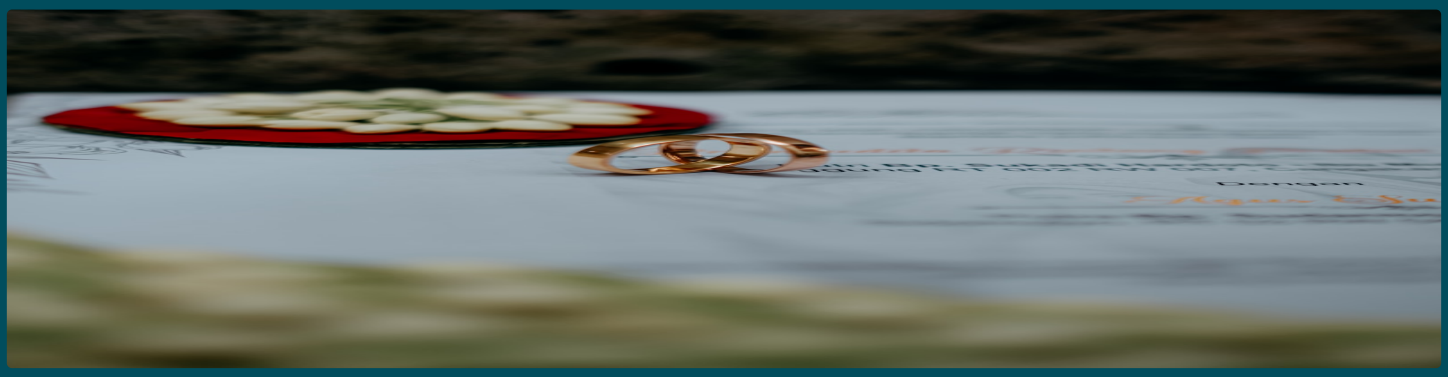
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FAMILY LAW

Kerala High Court Mandates Date Inclusion on Marriage Certificates, Orders Fix for PEARL Software

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Introduction

In a significant ruling protecting the documentary rights of married couples, the Kerala High Court has directed state authorities to ensure that the actual date of marriage celebration is included on certificates issued under the Special Marriage Act, 1954. The judgment addresses a flaw in the automated registration system, compelling the correction of the software and ordering a fresh certificate for the petitioners, Athul Dini and Athulya Raj. This decision confirms that the certificate form, as prescribed by the Fifth Schedule of the Act, mandates the inclusion of the customary marriage date, overcoming bureaucratic and technological hurdles.

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Background of the Case

The case arose when a married couple, Athul Dini and Athulya Raj, who had solemnized their marriage on 10.07.2022 as per Hindu customs, approached the Kerala High Court after the marriage certificate issued under the Special Marriage Act, 1954, failed to mention the actual date of their wedding. The certificate, generated through the state's online PEARL software, only reflected the registration date, not the ceremonial date. Despite repeated requests and citing older manually issued certificates that included the marriage date, the authorities refused to amend the certificate, citing software limitations and absence of a legal provision. This prompted the couple to seek judicial intervention, leading to the ruling that directed the correction of their certificate and mandated systemic changes to the software to ensure compliance with the statutory format.

The core legal issues in Athul Dini v. District Registrar[1] were:

1. Whether the omission of the actual date of marriage in a certificate issued under Section 15 of the Special Marriage Act, 1954 due to software limitations violates the statutory mandate and the couple's right to a legally accurate document.
2. Whether the PEARL software's template, which excludes the marriage date, conflicts with the Fifth Schedule of the Act, which expressly provides for inclusion of the date of celebration.
3. Whether administrative reliance on software design can justify non-compliance with statutory form and content requirements.
4. Whether the differential treatment (older certificates included the date, newer ones did not) amounts to arbitrary action under Article 14 of the Constitution.

Court Findings: Legal and Judicial Rationale

The judgment firmly sided with the petitioners, finding the administrative refusal to be a contravention of the law.

Legal Contradiction and Statutory Form– The court directly addressed the respondents' claim of "no provision," by referencing the statutory form itself. The judgment highlighted that The Fifth Schedule of the Special Marriage Act, 1954, which specifies the form for the "Certificate of Marriage Celebrated in Other Forms" (Section 16), clearly contains a provision for including the date of celebration of the marriage in the last line of the form.

The Purpose of Registration– The court highlights that registration under Section 15 of the Act pertains to the registration of marriages celebrated in other forms, not the solemnization itself. Therefore, the date of original celebration is, by nature, a date prior to the registration date. The judge concluded that unless the date of celebration is shown, there is "no meaning in issuing such a certificate". If the original date is omitted, the petitioners would be forced to rely on two separate documents that is, one issued under customary rules and one under the Act to prove their marriage history, which would be unnecessary and inconvenient.

Software Error vs. Statutory Mandate– The court dismissed the defense based on the PEARL software's limitations, stating that if the error occurred during the software's generation of the marriage certificate, "it is for the respondent authority to correct the same in order to issue a proper and valid certificate showing the original date of celebration of the marriage". The judgment identified the software's format as simply not the "correct form" as specified in the Fifth Schedule

Directions to the Authorities

The court allowed the writ petition (WP(C) No. 1019/2023) and issued the following directions:

- Fresh Certificate: The second respondent (The Marriage Officer) was directed to issue a fresh marriage certificate to the petitioners, mentioning the original date of celebration of the marriage (July 10, 2022), within one month of receiving the judgment.
- Software Modification: The court suo motu impleaded the Additional Chief Secretary, Taxes (J) Department, and the Inspector General of Registration. They were directed to take steps to modify the format in the 'PEARL software' to align with the form prescribed in the Fifth Schedule of the Act. This modification is intended to enable all future applicants to obtain a certificate that includes the original date of celebration of their marriage.

Authors View

The Kerala High Court's decision in Athul Dini v. District Registrar is, at first glance, a modest administrative task: correcting a single omission on a certificate. Yet, its significance is far-reaching. It gently reaffirms a foundational principle of governance: that the State's electronic processes must faithfully reflect the clear mandates of the law, ensuring that no rights are diminished by technological design.

In the pursuit of modern governance, we often celebrate technology reform as a victory for speed and efficiency. The **PEARL software**, like many government portals, was rightly applauded for "reducing citizen interface time". However, this case reminds us to pause and ask whether efficiency has inadvertently come at the cost of completeness or citizen rights. By affirming that software architecture is subject to the scrutiny of a writ jurisdiction, the Court has wisely placed a constitutional check into the rapid drive toward digitization. Moving forward, a digital template cannot be treated merely as an IT choice; it is an action affecting public records and must fully meet the test of statutory conformity.

For the couple at the centre of this dispute, the corrected certificate offers a practical and immediate benefit, easing their path with visa applications and insurance forms. For society as a whole, the ruling provides something invaluable the assurance that when the State communicates through its digital systems, it will do so completely, accurately, and without omitting essential factual detail.

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[1] WP(C) No. 1019 of 2023

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