

**IN THE COURT OF THE SENIOR CIVIL JUDGE-CUM-ASSISTANT
SESSIONS JUDGE AT JAGTIAL**

PRESENT: SRI D. NAGESWARA RAO
Senior Civil Judge-cum-Assistant Sessions Judge, Jagtial

Friday, the 14th day of August, 2026

H.M.O.P.No.42 of 2026

Between:-

Bollapelly Ruth Ramya @ Gangadhari Ruth Ramya,
W/o. Raju, D/o. Ramesh, Aged about 35 years,
Occ: Housewife, R/o. H.No.1-97, Allipur Village of
Raikal Mandal of Jagtial District.

...Petitioner No.1

AND

Bollapelly Raju, S/o. Gangadhar,
Aged about 31 years, Occ: Agriculture,
R/o.H.No.3-73/1, Katkapur Village of
Raikal Mandal of Jagtial District.

...Petitioner No.2

This Petition is coming before me on 27.07.2026 for hearing in the presence of **Sri Junnu Raghu**, learned Counsels for Petitioner No.1 and Petitioner No.2; and having been heard and having stood over for consideration till this day, the Court delivered the following:-

:: O R D E R ::

1. This Petition is filed by the Petitioners No.1 and 2 (**herein after called as “Petitioners”**) for Divorce **under Section 13-B of the Hindu Marriage Act, 1955 (In short, it is called as “HMA, 1955”**) on Mutual Consent.

2. The Contention of Petitioners

(a) As per the averments of the Petition, the marriage of Petitioners was solemnized on **02.12.2017** at the house of Petitioner No.1 situated at Allipur Village as per Caste and Customs and joined in conjugal society privileged in Hindu Community, and their marriage was consummated. They lived together one year only and no issues were born to them out of their marriage.

SCJ-cum-ASJ, Jagtial

(b) Thereafter, misunderstandings and disputes arose between them due to incompatibility of attitudes and temperaments, and they started to live separately since last two years. The chances of reunion are break, as such, on the advice of their respective elders, both the Petitioners have decided to dissolve their marriage by Mutual Consent. The Petitioners have exchanged their articles belonging to them from other side.

(c) Both parties have amicably and mutually settled all the matters. The Petitioner No.1 declared that she will not claim any maintenance amount and shall not initiate any Civil or Criminal Proceedings against the Petitioner No.2. Thus, the Petitioners filed this Petition to dissolve their marriage dated:10.04.2026 through the Court of law.

3. This Petition was presented on 10.04.2026. Observation of cooling period of **(6) months** is waived off vide I.A.No.328/2026, dated:27.07.2026. The reconciliation talks were held, but futile. Both the Petitioners stated that they do not want to withdraw the Petition and represented that there is no chance of reunion and prayed for grant of Mutual Divorce.

4. Both Petitioners No.1 and 2 were got examined as PW1 and PW2 respectively and got marked Ex.P1 & Ex.P2.

5. Now the Point for determination is :

“Whether the Petitioners No.1 and 2 are entitled to seek Divorce on Mutual Consent as prayed for?”

POINT

6. Before appreciating the evidence available on record, I would like discuss the rule position.

Section 13-B of HMA, 1955 as Divorce by Mutual Consent.—(1)

Subject to the provisions of this Act a Petition for dissolution of marriage by a decree of divorce may be presented to the District Court by both the Parties to a marriage together, whether such marriage was solemnized before or after the commencement of the Marriage Laws (Amendment) Act, 1976, on the ground that they have been living separately for a period of one year or more, that they have not been able to live together and that they have mutually agreed that the marriage should be dissolved.

The Hon'ble High Court for Maharashtra in "**Miten Vs. Union of India (2008) 5 Mah LJ 27**" discusses about ingredients of Mutual Divorce as for granting Divorce **under Section 13 B of HMA 1955**, three ingredients have to be satisfied i.e., **(i)** the Parties had been living separately for a period of more than a year, **(ii)** they had not been able to live together and **(iii)** that they have mutually agreed to dissolve the marriage.

7. In view of settled principles of Law and on perusal of the evidences of PWs.1 & 2, it reveals that bitter misunderstandings took place among them, it became impossible for them to live under one roof, as husband and wife. PWs.1 and 2 deposed that they lived together for more than two years.

Thereafter, disputes and misunderstandings arose between them and it became impossible for the Petitioners to live under the same roof. From last Two years, the Petitioners are residing separately from each other.

On the advice of elders of respective sides of the Petitioners, they have agreed to take mutual divorce. PW-1 and PW-2 have exchanged their articles belonging to them from other side.

During the reconciliation talks also they did not turn up for amicable settlement and they have not withdrawn the Petition which is filed **under Section 13-B of HMA 1955** for grant of divorce by mutual consent. Petitioners are willing to take divorce by mutual consent. In the above circumstances, I am of the considered view that the Petitioners have proved their case and they are entitled for the relief of dissolution of marriage by granting decree of divorce by mutual consent. The Point is answered accordingly.

8. In the result, the Petition is allowed and the marriage took place between the Petitioners No.1 and 2, dated:02.12.2017, is hereby dissolved by way of decree of Divorce on Mutual Consent. No order as to Costs.

Typed to my dictation by Stenographer, corrected and pronounced by me in the open Court, on this the 14th day of August, 2026.

Sd/- (D. Nageswara Rao)
Senior Civil Judge-cum-Assistant
Sessions Judge, Jagtial

:: APPENDIX OF EVIDENCE ::
WITNESSES EXAMINED

FOR THE PETITIONERS:

PW1 : Bollapelly @ Gangadhari Ruth Ramya.

PW2 : Bollapelly Raju.

EXHIBITS MARKED

FOR THE PETITIONERS:

Ex.P1: is the Original Marriage Wedding Card.

Ex.P2: is the Positive Marriage Photographs (3 in number).

Sd/- (D. Nageswara Rao)
Senior Civil Judge-cum-Assistant
Sessions Judge, Jagtial