

IN THE COURT OF THE SUBORDINATE JUDGE, TAMBARAM

Present: Thiru.R.Velraj, B.A.B.L.,

Subordinate Judge, Tambaram.

Monday, the 02nd day of February 2026

Thiruvalluvar Aandu 2056, Visuvavasu Varudam 19th day of "Thai"

HMOP. No. 05 / 2025

(CNR.No. TNCG0D-001666-2024)

A. Vinoth Kumar, A/37 years,
S/o. Avudaisamy,
Door No.3/341, First Floor,
S.V. Shanmugam Street,
Thiruvanchery, Chennai - 600 126.

... Petitioner

... Vs. ...

Indhumathi, A/32 years,
W/o. A. Vinoth Kumar,
D/o. G. Natarajan,
No.1/210, Santhu Theru,
Natham, Kali,
Nagapattinam - 609 811.

... Respondent

This petition was taken on file on 03.01.2025 and this petition came before me on 08.01.2026 in the presence of M/s. G. Gopalakrishnan, V.Rajendran, Sivasakthi, the learned counsel for the petitioner and the respondent remained exparte on 20.03.2025, and upon hearing petitioner's side arguments and upon perusing entire case records and having stood over for consideration till this day, this court delivered the following :

ORDER

I. The husband is the petitioner herein. The petition is filed u/s. 13(1)(i-a) of Hindu Marriage Act 1955 with the prayer for dissolving the marriage between the petitioner and the respondent took place on 10.03.2019 at Vimalambigai Thirumana Mahal, Mahadana Street, Mayiladuthurai - 609 001 on the ground of cruelty.

II. Brief case of the petitioner as set out in his petition:

a) The marriage between the petitioner and the respondent solemnized on 10.03.2019 at Vimalambigai Thirumana Mahal, Mahadana Street, Mayiladuthurai - 609 001 according to Hindu rites and customs and it was an arranged marriage. Out of their wedlock, he had one male child and he was named as V.Dharshan. He was born on 14.09.2020. On 12.03.2019, the respondent picked up a quarrel with the petitioner in respect of handling the trolley bag and on the next day on 13.03.2019 when the petitioner's mother told the respondent to prepare tea.

b) The respondent was sneezing whenever she touched water and for the same, the petitioner's mother took care of all the household works and taking advantage of the same, the respondent was spending all her time playing games in mobile phone and talking to her friends. The respondent very frequently disturbing the petitioner in the office by making calls and she used to make lot of complaints about her in-laws.

c) The respondent created a whatsapp group on 24.10.2019 with all her friends and relatives, etc., and started posting indecent conversations. All those who got disturbed left the group. The respondent smashed the petitioner's smart phone with a grinding stone in the presence of all those who were present at that time. During the period of menstruation, the respondent mood changes in

different modes and frequently runs into rooms and closes sometimes with suicidal mood.

d) During that time, the respondent start scolding everyone in the house with inappropriate words and insult them with disrespectful words and she would not spare even the child. The petitioner called the respondent's parents on 26.10.2019 and asked them to take her to a doctor and when they took her to a doctor who gave her medicines and asked her parents to take care of her for a month and hence the petitioner insisted her parents to get a certificate from the psychiatrist to certify that she is in normal condition.

e) On 26.11.2019, the respondent left her home without telling her parents and came to Chennai by train. On 26.11.2019, the petitioner called the respondent's parents whereas they came to Chennai and took her to Mayiladuthurai. After five months, he stayed with the respondent and with the child for few days at home in her hometown. The respondent could not control herself and started throwing things. The respondent threw an oil bottle at the petitioner mother and the bottle hit the floor and broken into several pieces and scattered everywhere and the glass pieces hurt the legs of the petitioner and his father.

f) The respondent's parents took her to a psychiatrist Dr. Ramya at Nungambakkam, Chennai and she took the medicines for a few days and then she refused to take it. As insisted by his parents, he took a separate house for rent and moved there to Door No.3/341, First Floor, S.V. Shanmugam Street, Thiruvancherry, Chennai - 600 126. The respondent was never taking care of the male child, never cooked for most of the days in a week whereas she would prepare only breakfast and the petitioner would take lunch from his mother's house.

g) The respondent sometimes leaving home even at midnight without even caring the child. If he stopped talking, the respondent would quarrel and bite his hand, take off the mangal sutra and throw it at the petitioner face to humiliate him. In the month of January, 2024, he had to go abroad for work and the agreement was to go to Vietnam for training for six months. Even though the respondent had agreed initially, she started giving trouble by making number of phone calls and texting number of messages.

h) When he returned from Vietnam in the month of May 2024, the respondent was found to have been creating trouble with everyone and was throwing and breaking things at home. One day the respondent left the child at the door's of Thiruvancherry temple unattended and on getting the information the petitioner had to rescue the child. The respondent left the LPG Gas stove unattended for several times putting everyone at risk and blamed the child for her mistake. The respondent wrote a handwritten letter in Tamil by stating that she is not mentally well and admits her mistake.

i) On 17.05.2024, she wanted to go to her rented house with the child and she scattered everything in the pooja room and wanted a bath in the midnight. She was talking incoherently imagining that the petitioner was Rama and she as Sita. She started telling him that the respondent was going to get married again the next day and that she needed to take all the jewels from the petitioner's house and put them in the temple hundi and dig a well with the money on hand. Whereas the respondent started talking in the air to her deceased family members and the petitioner realized that it would be dangerous if the respondent stayed with him any longer.

j) The respondent's parents was informed of the situation and they came to Chennai from Mayiladuthurai and convinced the petitioner and took the respondent to their home and she was under treatment at Athma Hospital, Trichy and the child is left under the custody and care of the petitioner. On 14.08.2024, he caused a legal notice for divorce to the respondent. The respondent received on 20.08.2024 but not chosen to reply till date. Hence, this petition.

III. Now, the point for consideration is :

(a) Whether the petitioner is entitled for the relief as claimed by her in the petition ?

IV. Heard the petitioner's Counsel. During the course of enquiry, the petitioner was examined as PW.1 and Ex.P1 to Ex.P10 marked. The respondent remained exparte. Hence, no oral evidence let in on the side of the respondent and no exhibits marked.

V. (a) The petitioner filed this petition for the relief of divorce on the ground of cruelty. Ex.P1 is the marriage invitation. Ex.P2 is the marriage photo. Ex.P3 is marriage registration certificate. Ex.P4 is the copy of birth certificate of petitioner's son. Hence, on perusal of the Ex.P1 to Ex.P4 there is no dispute that the marriage between the petitioner and the respondent took place on 10.03.2019 at Vimalambigai Thirumana Mahal, Mahadana Street, Mayiladuthurai - 609 001 and out of wedlock one male child was born on 14.09.2020.

(b) The petitioner was examined as PW1 and his evidence gone unchallenged. He has deposed that the respondent used to pickup quarrels with him and his mother and she created a whatsapp group with her friends and relatives and posted indecent messages. He also deposed that the respondent smashed her smart phone with a grinding stone and at times used to close the

door with suicidal mood. He also deposed that the respondent used to scold every one with inappropriate words and insult them. He also deposed that the respondent used to throw things and also broken an oil bottle. He also deposed that the respondent used to prepare only breakfast when they were living in nuclear family setup and he has to take lunch from his mother house. He also deposed that she troubled him a lot when he proposed to go a training at Vietnam. He also deposed that she left the child unattended at a temple and also left the LPG gas stove unattended several times. Ex.A5 is the copy of the legal notice dated 14.08.2024 from the counsel for the petitioner to the respondent. According to the petitioner no reply send in response to Ex.A5. The allegations leveled by the petitioner as against the respondent clearly constitute cruelty. Hence this court considering the evidence of the PW1 is of the view that the case of the petitioner appears to be correct. Hence he was subjected to cruelty at the hands of the respondent and as such the petitioner is entitled for divorce on the ground of cruelty.

Hence, in the result, the petition is allowed and the marriage between the petitioner and the respondent held on 10.03.2019 at Vimalambigai Thirumana Mahal, Mahadana Street, Mayiladuthurai - 609 001 stands dissolved on the ground of cruelty. Considering the matrimonial status, there will be no order in respect of cost.

Dictated by me to the Steno-Typist and she directly typed in the computer and corrected by me and pronounced in the open court on this the 02nd day of February 2026.

Subordinate Judge,
Tambaram.

Petitioner's side Witness :-

PW.1 - Mr. A. Vinoth Kumar

Petitioner's side Exhibits :

Ex.P1 - Marriage invitation

Ex.P2 - Marriage photo

Ex.P3 - Marriage registration certificate

Ex.P4 - Copy of the birth certificate of the petitioner's son

Ex.P5 - Copy of the legal notice dated 14.08.2024 from the counsel for the
petitioner to the respondent

Ex.P6 - Acknowledgment card

Ex.P7 - Copy of the smart card of respondent

Ex.P8 - Copy of the lease agreement

Ex.P9 - Copy of the Aadhar card of respondent

Ex.P10 - Hand written note of the respondent

Respondent Side Witness and Exhibits : Nil

Subordinate Judge,
Tambaram.