

IN THE COURT OF THE PRINCIPAL SENIOR CIVIL JUDGE
AT :: KARIMNAGAR..

PRESENT: SMT. M.ARUNA,
PRL. SENIOR CIVIL JUDGE,
KARIMNAGAR.

Thursday, this the 9th day of February, 2023

H.M.O.P. No. 181 OF 2022

Between:

Dhivya Ramesh Kurmawar, W/o. Purushotham Anil, Aged 31 years,
Occ: Household, Gadchiroli, Maharashtra, presently residing at
H.No.1-47, Asifnagar, V/o. Kothapally (H) Mandal, Karimnagar
District.

...Petitioner No.1.

And

Purushotham Anil, S/o. Laxmirajam, Aged 35 years, Occ: Private
Employee, H.No.3-61, Vadlur Begumpet of Bejjanki Mandal of Siddipet
District, presently residing at H.No.1-47, Asifnagar, V/o. Kothapally (H)
Mandal, Karimnagar District.

...Petitioner No.2.

This petition is coming before me for final hearing on 07.02.2023
in the presence of Sri Tuvva Srikanth, Advocate for the Petitioners No.1
and 2, and upon perusing the material papers on record, having been
heard and having stood over for consideration to this day, the Court
delivered the following:-

:: O R D E R ::

1. This petition is filed by the petitioners No.1 and 2 under Section
13-B(2) of Hindu Marriage Act, 1955 for dissolution of their marriage

dated 15.04.2015 by mutual consent.

2. The brief averments of petition is that petitioner No. is the legally wedded wife of petitioner No.2 and their marriage was performed on 15.04.2015 at Sai Baba Temple, Sainagar, Karimnagar as per Hindu customs. The marriage between the petitioners is a love marriage and the same was solemnized in the presence of parents of both the petitioners, elders, relatives and friends. That out of their wedlock they were blessed with one daughter by name Shivakshari, now aged 6 years and one son by name Karthikeya, now aged 3 years. Thereafter, the marriage has been an irreconcilable, incompatibility between both the petitioners and due to which in the month of April 2022, the petitioner No.1 left the society of the petitioner No.2 and living separately. In spite of efforts put by both the petitioners as well as the elders on either side, they could not reconcile and both the petitioners have decided to end their marital relationship. Hence, the petitioners filed the petition seeking divorce on the ground of mutual consent and settled all the matters amicably and mutually.

3. That the petitioner No.1 has received all her jewellery and stridhana property and there are no jewellery, property, cash or any

other articles belonging to the petitioner No.1 with the petitioner No.2 or his parents. Further the petitioner No.1 hereby declare that she will not make any claim whatsoever for permanent alimony or initiate any proceedings civil or criminal since there are no outstanding claims against each other and further the petitioner No.1 is ready to take both the children i.e., Shivakshari and Karthikeya with her. Hence, this petition.

4. During the pendency of petition, there were some reconciliation talks held, but failed, so both petitioners stated that they do not intend to withdraw the petition and further represented that there is no chance for their re-union and insisted this Court for grant of divorce and also both the petitioners requested this Hon'ble Court to dispense the cooling period of six months and filed I.A. No.103/2023 and the same was allowed.

5. To prove the case of the petitioners, the petitioner No.1 is examined as P.W.1 and got marked Exs. P1 and P2. The petitioner No.2 is examined as P.W.2 and no documents marked on his behalf.

6. Heard both sides and perused the record.

7. Now the point for consideration is:

“Whether the petitioners No.1 and 2 are entitle for the relief of granting decree of divorce under mutual consent as prayed for?”

8. **POINT:** In support of the case, the petitioners No.1 and 2 have filed their chief affidavits, and examined as P.W's 1 and 2 and got marked Exs. P1 and P2. Ex.P1 is the joint marriage photographs of the petitioners and Ex.P2 is the original wedding card. As per Ex.P1 it goes to show that at the time of their marriage, photographs were taken by them and Ex.P2 also supporting that the marriage of the petitioner No.1 held with the petitioner No.2.

9. Therefore, the evidence of P.W's 1 and 2/petitioners No.1 and 2 and the Exs. P1 and P2 are goes to show that the marriage of P.W's 1 and 2 was performed on 15.04.2015 at Sai Baba Temple, Sainagar, Karimnagar as per Hindu customs and it is a love marriage and the same was solemnized in the presence of parents of both the petitioners, elders, relatives and friends, and out of their wedlock they were blessed with one daughter and one son by name Shivakshari and Karthikeya. Thereafter, there has been an irreconcilable, incompatibility between both the petitioners and due to which the

petitioner No.1 left the society of the petitioner No.2 and living separately since second week of April, 2022. In spite of efforts put by both the petitioners as well as the elders on either side, they could not reconcile and in these circumstances both petitioners have decided to take divorce to each other from the competent court of law with mutual consent. Hence, the P.W's 1 and 2 are entitled to take divorce by mutual consent as prayed for and accordingly, the point is answered.

10. In the result, the petition is allowed by granting decree of divorce by dissolving the marriage took place between the petitioner No.1 and petitioner No.2 dated 15.04.2015. No order as to costs.

Dictated to Stenographer directly on computer *in the open court on this the 9th day of February, 2023.*

Sd/-
PRL. SENIOR CIVIL JUDGE,
KARIMNAGAR.

APPENDIX OF EVIDENCE

WITNESSES EXAMINED

FOR THE PETITIONERS:

P.W.1 Dhivya Ramesh Kurmawar.
P.W.2 Purushotham Anil.

EXHIBITS MARKED

FOR THE PETITIONERS:

Ex.P1 Joint wedding photographs of the petitioners three in number.
Ex.P2 Original wedding card.

Sd/-
PRL. SENIOR CIVIL JUDGE,
KARIMNAGAR.