

**IN THE COURT OF THE JUDGE, FAMILY COURT-CUM-III  
ADDITIONAL DISTRICT AND SESSIONS JUDGE AT  
MAHABUBNAGAR.**

Present: **Smt P. Neeraja,**  
Judge, Family Court-cum-  
III Addl.District and Sessions  
Judge, Mahabubnagar.

Tuesday, the 11<sup>th</sup> day of April, 2023

**F.C.O.P.No.79 of 2022**

**Between:**

XXXXXXXXXXXXXXXXXX

**ORDER**

This is a petition filed by the petitioner Nos.1 and 2, who are wife and husband under Section 13-B of the Hindu Marriage Act, seeking dissolution of their marriage dt.12.04.2017, by mutual consent.

2. The facts of the case, in brief, are as follows:

The marriage of the petitioner Nos.1 and 2 was performed on 12.04.2017 at Kodangal village and mandal, Vikarabad district as per Hindu rites and customs. After the marriage, both of them lived together happily for a short period of one month. Thereafter,

differences arose between them due to which, it became impossible for both of them to lead matrimonial life. They got separated on 16.10.2017. The petitioner No.1 joined her parents, leaving the company of the petitioner No.2 and filed a complaint before woman P.S., Mahabubnagar, against him and his family members. Basing on which, a case in Cr.No.5/1019 under Section 498-A of IPC and Sections 3 and 4 of Dowry Prohibition Act was registered and the same is pending vide C.C.No.94/2019 on the file of Judicial Magistrate of First Class, Mahabubnagar. The petitioner No.1 has filed M.C.No.14/2019 before this Court against the petitioner No.2 and DVC against him and his family members and they are also pending. They have no issues out of the wedlock.

3. All possible efforts made by the elders for reconciliation, several times, turned to be futile. In the circumstances, the petitioner Nos.1 and 2 have decided to get dissolved their marriage by mutual consent, on the advice of elders. The petitioner No.2 agreed to pay Rs.10,00,000/- to the petitioner No.1 towards permanent alimony and future maintenance, out of which, he had paid Rs.5,00,000/- to the petitioner No.1 on 22.10.2022 and agreed to pay balance amount of Rs.5,00,000/- at the time of evidence in divorce case. The

petitioner No.1 agreed for the same and also agreed to withdraw M.C.No.14/2019, D.V.C.No.23/2019 and C.C.No.94/2019 filed against the petitioner No.2 and his family members.

4. The point for consideration is:

**Whether the Petitioners No.1 and 2 are entitled for dissolution of their marriage performed on 12.04.2017 by mutual consent, as prayed for?**

5. Heard both the petitioners and their counsel.

6. The petitioners examined themselves as P.Ws.1 and 2, by filing their affidavits of examination in chief and got marked Exs.P1 to P4.

7. As seen from the record, the cooling period of 6 months is waived on the application filed by the petitioners.

8. **POINT:**

The petitioners are seeking dissolution of their marriage by mutual consent on the ground of irreconcilable differences and incompatibility, which lead to their separation in the year 2017 itself.

9. The petitioners as P.Ws.1 and 2, having reiterated the contents of the petition in their affidavits of examination in chief, further stated that the petitioner No.2 has paid balance amount of Rs.5,00,000/- and

the petitioner No.1 has received the same. The petitioners got marked Exs.P1 to P4. Exs.P1 and P2 are their wedding invitation card and wedding photographs, Exs.P3 and P4 xerox copies of their Aadhar cards.

10. When both the petitioners were examined by this Court, they reported that absolutely there is no possibility of their reunion.

11. Having regard to the submissions of the petitioners that due to irreconcilable differences they could not live together to lead happy matrimonial life and got separated in the same year of marriage and that there is no possibility of their reunion and in the facts and circumstances of the case, this Court is of the considered view that the petitioners are entitled for dissolution of their marriage dt.12.04.2017, by mutual consent. Accordingly, the point is answered.

12. In the result, the petition is allowed, dissolving the marriage between the petitioner Nos.1 and 2, dt.12.04.2017, by mutual consent.

Dictated to stenographer, transcribed by her, corrected and pronounced by me in the open court on this the 11<sup>th</sup> day of April, 2023.

**Judge,  
Family Court-cum-**

**III Addl. District and Sessions  
Judge, Mahabubnagar.**

| <b>APPENDIX OF EVIDENCE</b>                       |                                     |
|---------------------------------------------------|-------------------------------------|
| <b>WITNESSES EXAMINED</b>                         |                                     |
| <b>FOR PETITIONERS NO.1 AND 2</b>                 |                                     |
| <b>P.W.1:</b>                                     | XXXXXXXXX                           |
| <b>P.W.2:</b>                                     | XXXXXXXXX                           |
| <b>EXHIBITS MARKED FOR PETITIONER NOs.1 AND 2</b> |                                     |
| <b>Ex.P1:</b>                                     | Wedding invitation card.            |
| <b>Ex.P2:</b>                                     | Wedding photographs (2 in number).  |
| <b>Ex.P3:</b>                                     | Xerox copy of Aadhar card of P.W.1. |
| <b>Ex.P4:</b>                                     | Xerox copy of Aadhar card of P.W.2. |

**Judge,  
Family Court-cum-  
III Addl. District and Sessions  
Judge, Mahabubnagar.**