

**IN THE COURT OF THE CIVIL JUDGE (SENIOR DIVISION),
PUNGANUR**

Present:- Smt. Areefa Shaik
Civil Judge (Senior Division)
Punganur

Monday, the Fourth (04th) day of August, 2025

H.M.O.P.No.52 of 2024

Between –

K.Suresh Kumar, s/o K.Srinivasulu, aged about 41 years, residing at D.No.29-137/14, Melupatla Colony, Punganur town and Mandal, Chittoor District, A.P. (Aadhaar 686523347912), Cell No.7793941942.

....PETITIONER

And –

T.Sujatha, w/o K.Suresh Kumar, aged about 39 years, Staff Nurse in PHC Hospital, residing at D.No.6-10-68, Singalagunta, Tirupati town and District, Andhra Pradesh . Presently working at PHC hospital, Kovunooru village, Sree Kalahasthi Mandal, Tirupathi District.

....RESPONDENT

This petition came up on 31-07-2025 before me for final hearing in the presence of **Sri B.Venkatamuni**, Advocate for the petitioner and of **Sri B.Gurumurthy**, Advocate for the respondent, later the respondent remained exparte and upon perusing the material available on record and this matter having stood over for consideration till this day, this court made the following –

ORDER

1. This petition is filed by the petitioner (husband) U/s. 13(1) (ia) of the Hindu Marriage Act, 1955 to dissolve his marriage with the respondent (wife) held on 20-06-2011 by way of decree of divorce and for costs.

2. The brief facts of the petition are:-

The respondent is the legally wedded wife of the petitioner and their marriage was solemnized on 20-06-2011 at K.S.R. Kalyana Mandapam, Tiruchanoor, Tirupati as per the Hindu rites of the Hindu religion community. After the marriage the petitioner was working in ICICI bank, Madanapalle and used to travel from Madanapalle to Tirupati, where both of them put up a family at Tirupati. The respondent used to insist the petitioner to resign the job and came to Tirupati but he was not inclined to resign his job. He also stated that he underwent an operation for Appendicitis in Tirupati and take treatment. During that time either the respondent or her parents never cared him. Due to the torture made by the respondent, he resigned his job. He has no other source of income to meet the luxuries of the respondent. Hence, the respondent subjected him to cruelty both physically and mentally. He further stated that in the month of January, 2019 on the occasion of Sankranthi festival, he attended the respondent's grandmother village Komminepalli near Mogarala, Pakala mandal and there the respondent and her relatives picked up quarrel with him. Having no other alternative, he came to Punganur on 20.1.2019. The

respondent willfully deserted the marital company of the petitioner without any mistake on his part. The respondent suppressing the real facts got issued legal notice dt: 9.2.2019 for divorce. He got issued reply notice expressing his readiness to take back the respondent to lead marital life. Hence, the petition.

3. The respondent filed counter and pleaded that petition is not maintainable in law or on facts. She stated that she is dutiful wife and gave respect to the petitioner and used to live amicably. She worked as Staff Nurse in PHC Hospital, Kovanur village, K.V.B.Puram Mandal, Tirupati District and she has to look after her daughter who is aged about 11 years and suffered with severe Epilepsy and she provided daily medical aid to her child. She stated that except her, nobody are available to take care of child. In such course, she used to travel from her working place to Tirupathi and inspite of it, she used to provide all amenities to her husband. She stated that the petitioner addicted to bad vices and used to beat her inhumanly for not giving her salary to him. Hence, differences arose in between her and the petitioner and the petitioner completely deserted her on 20.10.2019. She is unable to travel from Tirupati to Punganur and hence, she got filed Transfer OP before the Hon'ble District Court, Chittoor in Tr.O.P.350 of 2024 and it is pending. She stated that she is ready and willing to restore the marital life with him to lead marital life. Hence, she prayed to dismiss the petition.

4. The respondent did not appear in spite of conditional order. Hence she was set exparte.

5. On behalf of the petitioner, he got examined himself as PW.1 and marked Exs.P1 to Ex.P3.

6. Heard the learned counsel for the petitioner. Perused the record.

7. **Now the point that arises for consideration is :**

“Whether the petitioner is entitled for the relief claimed for?”

POINT:-

8. It is the case of the petitioner that his marriage with the respondent was performed on 20-06-2011 at K.S.R.Kalyana Mandapam, Tiruchanoor, Tirupati as per the Hindu rites of the Hindu religion community. After the marriage the petitioner was working in ICICI bank, Madanapalle and used to travel from Madanapalle to Tirupati, where both of them put up a family at Tirupati. The respondent used to insist the petitioner to resign the job and came to Tirupati but he was not inclined to resign his job. Due to the torture made by the respondent, he resigned his job. He further stated that in the month of January, 2019 on the occasion of Sankranthi festival, then he attended the respondent's grandmother village Komminepalli near Mogarala, Pakala mandal and there the

respondent and her relatives picked up quarrel with him. The respondent willfully deserted the marital company of the petitioner without any mistake on his part. There is no chance of reunion in between the petitioner and the respondent.

9. To prove his case, the petitioner himself got examined as PW.1 and got marked Ex.P1 to Ex.P3. In his chief-examination, he reiterated the same facts as contained in the petition. The respondent did not appear in spite of receiving notice. The oral and documentary evidence of PW.1 remained unchallenged as the respondent remained exparte. The petitioner by examining himself as PW.1 and by marking Exs.P1 to P3 could prove that the respondent is legally wedded wife of the petitioner and that the respondent used to quarrel with the petitioner even for petty reasons and deserted the petitioner and both petitioner and respondent living separately. The petitioner proved that the respondent has deserted him voluntarily and the acts of the respondent construed cruelty. When it is so, the petitioner is entitled for the relief claimed by him and I am inclined to allow this petition. This point is answered accordingly.

10. **In the result,** the petition is allowed and the petitioner is granted decree of divorce dissolving the marriage in between the petitioner and the respondent held on 20-06-2011. There shall be no order as to costs. The office

is directed to furnish copy of the decree at free of cost to the petitioner in view of Section 23(4) of the Act.

Typed to my dictation by the Stenographer Grade-II, corrected, signed and pronounced by me in the open court, this the 04th day of August, 2025.

Civil Judge (Senior Division)
Punganur

APPENDIX OF EVIDENCE

Witnesses examined

<u>Petitioner</u>	<u>Respondent</u>
PW.1 K.Suresh Kumar	- Exparte -
<u>Exhibits marked for Petitioner</u>	

Ex.P1 wedding card.

Ex.P2 Wedding photos three in number.

Ex P3 Reply notice dt:15.2.2019.

Exhibits marked for Respondent: -Nil—

Civil Judge (Senior Division)
Punganur