

**IN THE COURT OF THE XVII ADDL. DISTRICT JUDGE, GUDIVADA**

Present:- Smt.M.Kumudini,
XI Addl. District Judge,
FAC/ XVII Addl. District Judge

Thursday, this the 18th day of June, 2026

D.O.P.No.32/2026

Between:-

Medanki Israyelu, S/o (late) Yacobu Raju, Christian, Aged about 39 years, R/o Door No.5-107, Pedaparupudi Village and Mandal, Krishna District.

::: Petitioner.

AND

Medanki Aswani @ Chanchala Aswani, W/o Israyelu, D/o Chanchala Sadaravaiah, Christian, Aged about 38 years, House Wife, R/o Door No.11-1-34, Beside Siri Multiplex Hall, Kataripalem, Nellore-524001, Nellore District.

::: Respondent.

This petition came on 16.06.2026 before me for final hearing in the presence of **Sri M.Madhu Babu**, Advocate for the petitioner and the respondent was set **exparte**, upon hearing, perusing the material papers on record and the matter having stood over for consideration till this day, this Court made the following:-

ORDER

This is a petition filed under Section 10 (1) (x) of the Divorce Act, 1869 seeking to pass a decree of divorce by dissolving the marriage between the petitioner and the respondent, which took place on 10.07.2022, on the ground of cruelty.

2. The averments of the petition, in brief, are as follows:-

(a) The respondent is the legally wedded wife of the

petitioner and their marriage was took place on 10.07.2022 at the house of the petitioner in Pedaparupudi Village and Mandal, Krishna District according to Christian religious rites and customs in the presence of their elders, well-wishers, friends and relatives. There was any exchange of lanchanams in between them at the time of marriage. The marriage was consummated. At the time of marriage, the petitioner was working as Office Boy in IDFC Bank, Gudivada.

(b) The respondent joined the petitioner at Pedaparupudi Village to lead happy marital life. In the month of November, 2022 the respondent conceived and later she went to her parents' house. On 21.04.2023 the respondent gave birth to a premature female baby by name Keerthana and at that time the petitioner spent an amount of Rs.20,000/- for medical and hospital expenses. After the delivery, the respondent did not turn up to the matrimonial house, but she joined the petitioner along with the child on 21.04.2024 to perform her first birthday. On 25.04.2024 the respondent went to her parents' house as the child was not feeling well and informed that she will come and join the petitioner.

(c) After some time when the petitioner made a phone call to the respondent to come and join with him, but she demanded to come and join with the respondent at her parents' house as an illatom son-in-law. The petitioner himself and through elders requested the respondent to come and join him, but she bluntly refused for the same and caused mental agony to the petitioner. Then the petitioner got issued a registered legal notice to the respondent on 12.04.2025 demanding her for restitution of conjugal life. The respondent having received the same, failed to give any reply or joined the petitioner. Thus, the respondent has no intention to join the petitioner to lead conjugal life, thereby she harassed the petitioner mentally. Hence, the

petitioner is obliged to file the present petition.

3. Having received the notice of the petition by the respondent in-person, she failed to attend before the Court and hence, she was set exparte for her non-appearance on 06.04.2026.

4. During enquiry, the petitioner is examined as P.W.1 and got marked Exs.P1 to P6.

5. Heard the learned counsel for petitioner.

6. Now the point for consideration is:-

“Whether the petitioner is entitled for a decree of divorce by dissolving his marriage with the respondent dt.10.07.2022 on the ground of cruelty, as prayed for?”

POINT:-

7. To prove the case of the petitioner, he himself is examined as P.W.1 by filing his affidavit in lieu of his chief-examination reiterating his case as mentioned supra and with reference to the documents under Exs.P1 to P6. Ex.P1 is the Wedding Card, Ex.P2 is the Marriage Certificate dt.10.07.2022, Ex.P3 is two marriage photographs along with C.D., Ex.P4 is the office copy of legal notice got issued to the respondent dt.12.04.2025, Ex.P5 is the postal acknowledgment and Ex.P6 is the copy of Aadhar card of the petitioner.

8. It is evident from the oral evidence of P.W.1 coupled with the documents under Exs.P1 to P3 that the marriage of the petitioner was performed with the respondent on 10.07.2022 by Pastor B.Rajesh at the house of the petitioner in Pedaparupudi Village as per Christian rites and customs. The evidence of P.W.1 further goes to show that after the marriage, the respondent joined the petitioner at the matrimonial

house and both of them lived happily, respondent got pregnancy in the month of November, 2022 and went to her parents' house for delivery and on 21.04.2023 she gave birth to a premature baby girl, who was named as Keerthana. His evidence further demonstrates that one year after the delivery, the respondent joined him to perform the first birthday function of the child and on 25.04.2024 the respondent went to her parents' house on the pretext that the child was not feeling well and subsequently she did not turn up to the matrimonial home inspite of the oral requests made by the petitioner personally, through elders and legal notice dt.21.04.2025 and on the other hand she demanded the petitioner to come and join her at her parents' house as an illatom son-in-law, thereby caused harassment to the petitioner mentally. Thus, the petitioner is of the opinion that the respondent has no intention to lead conjugal life with him and caused mental agony to him and hence, the petitioner was constrained to file the present petition seeking a decree of divorce. The evidence of P.W.1 probablised his version that the respondent deserted the conjugal company of the petitioner on 25.04.2024 and failed to join him to lead the marital life and thereby caused mental agony and harassment towards the petitioner, which amounts to cruelty on her part and it is a ground for grant of divorce as contemplated U/Sec.10(1)(x) of the Divorce Act.

9. On the other hand, as stated supra, the respondent failed to make her appearance before this Court and remained exparte. Thus, the evidence of the petitioner remains unchallenged and uncontroverted, thereby proved the case of the petitioner. Hence, the petitioner is entitled for a decree of divorce. Accordingly, this point is answered in favour of the petitioner.

10. **In the result**, this petition is allowed, by dissolving the marriage of the petitioner with the respondent dt.10.07.2022 on the ground of cruelty. In the circumstances of the case, both parties do bear their own costs.

Typed to my dictation by the Stenographer Gr.I of this Court, corrected and pronounced by me in the open Court, on this the 18th day of June, 2026.

Sd/- M.Kumudini,
XI Addl. District Judge,
FAC/XVII Addl. District Judge,
Gudivada.

APPENDIX OF EVIDENCE
Witnesses Examined

For Petitioners:

P.W.1 : Medanki Israyelu.

DOCUMENTS MARKED

For Petitioners :

Ex.P1	---	Wedding Card
Ex.P2	10.07.2022	Marriage Certificate.
Ex.P3	---	Marriage photos (2 in number) along with CD.
Ex.P4	12.04.2025	Office copy of registered legal notice got issued by the petitioner to the respondent.
Ex.P5	21.04.2025	Postal acknowledgment.
Ex.P6	---	Compared copy of Aadhar Card of Petitioner.

Sd/- M.Kumudini,
XI ADJ, GDV.,
FAC/ XVII ADJ., GDV.,

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XI Addl. District Judge,
FAC/ XVII Addl. District Judge

Thursday, this the 18th day of June, 2026

D.O.P.No.32/2026

Between:-

Medanki Israyelu, S/o (late) Yacobu Raju, Christian, Aged about 39 years, R/o Door No.5-107, Pedaparupudi Village and Mandal, Krishna District.

::: Petitioner.

AND

Medanki Aswani @ Chanchala Aswani, W/o Israyelu, D/o Chanchala Sadaravaiah, Christian, Aged about 38 years, House Wife, R/o Door No.11-1-34, Beside Siri Multiplex Hall, Kataripalem, Nellore-524001, Nellore District.

::: Respondent.

This is a petition filed under Section 10 (1) (x) of the Divorce Act, 1869 seeking to pass a decree of divorce by dissolving the marriage between the petitioner and the respondent, which took place on 10.07.2022, on the ground of cruelty.

Petition filed on: 13.02.2026.

A fixed Court fee of Rs.30/- is paid under Schedule II, Article 1 (iii) of APCF and SV Act.

This petition came on 16.06.2026 before me for final hearing in the presence of **Sri M.Madhu Babu**, Advocate for the petitioner and the respondent was set **exparte**, upon hearing, perusing the material papers on record and the matter having stood over for consideration till this day, this court doth order and decree:-

- a) that the petition be and the same is hereby allowed by dissolving the marriage of the petitioner with the respondent dt.10.07.2022 on the ground of cruelty;
- b) that each party do bear their own costs towards costs of this petition.

Given under my hand and seal of this Court this the 18th day of June, 2026.

Sd/- M.Kumudini,
XI Addl. District Judge,
FAC/XVII Addl. District Judge,
Gudivada.

MEMORANDUM OF COSTS

NIL

Sd/- M.Kumudini,
XI ADJ, GDV.,
FAC/ XVII ADJ., GDV.,