

COURT OF THE JUDGE, FAMILY COURT -CUM- ADDITIONAL DIST. &
SESSION JUDGE, AT KARIMNAGAR.

PRESENT: SMT. PVP LALITHA SIVA JYOTHI,
JUDGE, FAMILY COURT-CUM-ADDL.,
DISTRICT & SESSIONS JUDGE,
KARIMNAGAR.

Monday, this the 23rd day of December, 2019

F.C OP. NO. 17 OF 2019

Between:-

Kandhala @ Daripally raga Ravali, w/o Kandhala Praveen Kumar,
age: 25 yrs, occ: Pvt. Employee, r/o H.no. 10-5-66, Kisan Nagar
locality of Karimnagar town and district.

... Petitioner No.1

And

Kandhala Praveen Kumar, s/o Purushothama chary, age: 27 yrs, occ:
Pvt employee r/o H.No. 2-90/1, Raghavendranagar, New water tank,
Meerpet, Sarroornagar mandal of Rangareddy district.

....Petitioner No.2

PETITION FILED UNDER SECTION 13-B OF HINDU MARRIAGE ACT., 1955

This petition is coming on 20.12.2019 before me for final hearing in the presence of Sri M.Rajesham, advocate for the petitioner No.1 and 2, having been heard and having stood over for consideration till this day, the court made the following:-

:: O R D E R ::

The petitioners No.1 and 2 filed this petition under Section 13-B of Hindu Marriage Act 1955., for dissolution of their marriage dated 12.05.2017 by mutual consent.

2. The case of the petitioners as could be seen from the petition averments in brief is that the petitioner No.1 is the legally wedded wife of the Petitioner No.2 and their marriage took place on 12.05.2017 at TTD Kalyanamandapam Gandhi Road Karimnagar town and district, as per the Hindu customs and rites in the presence of both the families and well wishers and petitioner No.1 joined the matrimonial company of petitioner No.2 at his parents place at Raghavendranagar, new water tank, Meerpet, Sarroornagar mandal of Rangareddy district and both are lived their matrimonial life for a period of one month only, and during the stay there are some differences

arose between them and they are unable to adjust with each other and both sides elders are tried their level best to reconcile the disputes but their efforts were went in vain due to different opinion of both the petitioners and the petitioner No.1 left the matrimonial home of petitioner No.2 and they are living separately in their respective parents place till today, as such there are no issues to them and finally both the petitioners and their elders are decided that the marriage between the petitioners should be dissolved as per the law or by way of mutual damages and permanent alimony and future maintenance, apart from the dowry amount and marriage expenditure, the said amount the petitioner No.2 shall be paid at the time of giving evidence or final hearing before this court as per the settlement before the elders and the parties have exchanged their articles which were presented to them at the time of marriage and the parties are at liberty to re-marry at their own choice in future and they will not file any claim an amounts or properties against each other in future and the present full and final settlement is final and binding on the petition. Hence this petition for divorce by mutual consent.

3. The case was presented on 02.03.2019 and counseling was held but the same was failed and petitioners waited for mandatory period of six months and thereafter both the petitioners are examined as Pw.1 and Pw.2 and got marked Ex.P1 and Ex.P2.

4. Heard both sides. Perused the record.

5. *Now the point for consideration :*
"Whether the petitioners have made out sufficient grounds to grant divorce by mutual consent by dissolving their marriage as prayed for?"

6. Both the petitioners/ PW-1 and 2 were present and they filed their chief affidavits in lieu of their chief examination and they reiterated petition averments and got marked i.e., Exs.P.1 and Ex.P2. Ex.P1 is the wedding card of the petitioners and Ex.P.2 is the marriage photo of the petitioners without CD.

7. The evidence of PW-1 and 2 discloses that the petitioner No.1 is the legally wedded wife of the Petitioner No.2, their marriage took place on 12.05.2017 at TTD Kalyanamandapam Gandhi Road Karimnagar town and district, as per the Hindu customs and rites in the presence of both the families and well wishers and petitioner No.1 joined the matrimonial company of petitioner No.2 at his parents place at Raghavendranagar, new water tank, Meerpet, Saroornagar mandal of Rangareddy district and both are lived their matrimonial life for a period of one month only, and during the stay there are some differences arose between them and they are unable to adjust with each other and both sides elders tried their level best to reconcile the disputes but their efforts were went in vain due to different opinion of both the petitioners and the petitioner No.1 left the matrimonial home of petitioner No.2 and they are living separately in their respective parents place till today, and there are no issues to them and both the petitioners and their elders decided that the marriage between the petitioners should be dissolved as per the law an amount of Rs. 1,50,000/- paid by the petitioner No.2 to the petitioner No.1 as per the settlement before the elders and the parties have exchanged their articles which were presented to them at the time of marriage and the parties are at liberty to re-marry at their own choice in future and they will not file any claim an amounts or properties against each other in future and the present full and final settlement is final and binding on the petition and there is no collusion in between them in filing the present petition and both are residing separately since more than one year and they further stated that they have not instituted any other proceeding in any other court in respect of the subject matter of the petition and prays to grant divorce by mutual consent.

8. As seen from the petition averments and the evidence of PW-1 and 2, coupled with Exs.P.1 and Ex.P-2 is put together, it could be seen that there is no possibility for the re-union of both the petitioners. When I enquired, both the petitioners categorically stated that there are no chances

of their reunion and requested to grant divorce in their favour.

9. Having regard to the facts and circumstances, I am of the considered opinion that there are no chances for the reunion of the both the petitioners and as such they are entitled for divorce as prayed for. The point is answered accordingly.

10. In the result, the petition is allowed and the decree of divorce by mutual consent is hereby granted by dissolving the marriage solemnized in between both the petitioners on 12.05.2017. In the circumstances of the case, there shall be no order as to costs.

Typed to my dictation by personal assistant, corrected and pronounced by me in the open Court, on this **23rd day of December, 2019.**

JUDGE, FAMILY COURT- CUM-
ADDL.DISTRICT JUDGE,
KARIMNAGAR.

APPENDIX OF EVIDENCE
WITNESSES EXAMINED

FOR THE PETITIONERS:-

P.W.1 : Kandhala @ Daripally Raga Ravali,
P.W.2 : Kandhala Praveen Kumar

EXHIBITS MARKED

FOR THE PETITIONERS:-

Ex.P1 : Is the Wedding card of the petitioners

Ex.P2 : Is the marriage photo of the petitioners without CD.

JUDGE, FAMILY COURT- CUM-
ADDL. DISTRICT JUDGE,
KARIMNAGAR