



**IN THE COURT OF JUDGE, FAMILY COURT CUM IX ADDITIONAL
DISTRICT AND SESSIONS JUDGE, EAST GODAVARI AT
RAJAMAHENDRAVARAM.**

PRESENT: Smt. M.MADHURI, Judge,
*Family Court cum IX Additional District and Sessions Court,
Rajamahendravaram.*

Monday, the 19th day of January, 2026

FCOP No.204/2025

Between:

1. Mylavarapu T.V.N.S.Manikya Siri, W/o.Behara Sai Mohan, D/o. Mylavarapu Venkata Lakshmana Sarma, Hindu, Aged 28 years, R/o.D.No.29-7-3, Lakshmivarapu Peta, Near Post Office, Ward No.33, Rajamahendravaram Urban, East Godavari District – 533 101.
2. Behara Sai Mohan, S/o.Hanumantha rao, Hindu, Aged 40 years, R/o. D.No. 31-40-37/55, 4th floor, Flat No. 502, Block – B, V.V.Krishna Heights, Near Duvvada Fly Over, Kurmanna Palem, Duvvada, Visakhapatnam- 530 046.

..Petitioners

AND

Nil

...Respondent

This petition coming up before me on this day for final hearing in the presence of Sri Md.M.Chisti, Advocate for the petitioners 1 and 2 and the matter having stood till this day for consideration, this court delivered the following:

ORDER

This petition is filed jointly by the petitioners 1 and 2 under Sec.13-B of Hindu Marriage Act, 1955 seeking dissolution of their marriage, performed on 20.08.2016 by way of granting divorce, on mutual consent.

2. The case of the petitioners as per the averments made in the petition succinctly is -

The 1st petitioner is the legally wedded wife of the 2nd petitioner and their marriage was solemnized on 20.08.2016 at Kalavathi Kaylana Mandapam, Aryapuram, as per Hindu Rites and Caste Customs. After the marriage, the 1st petitioner joined the 2nd petitioner at his house at Duvvada Village to lead conjugal life. During their wedlock, they blessed with a male child on 04.03.2018 by name Behara Sree Sesha Sai Pranav. During their wedlock, the 1st petitioner completed her graduation with the financial assistance of the 2nd petitioner.

(ii) While so, during their wedlock, they developed misunderstandings and ill-feelings towards each other, as such, from September 2021, they have been living separately. All the efforts made by the elders and caste elders for their reunion are proved futile. As such, they decided to take divorce by mutual consent. As per the terms arrived before the elders, the 1st petitioner relinquished her right to claim maintenance from the 2nd petitioner and also not to file any civil or criminal cases against the 2nd petitioner or his family members. The 1st petitioner also relinquished her right of custody of their son and filing any petition claiming guardianship. The custody of their son will be with the 2nd petitioner. The 2nd petitioner agreed not to claim the Three Tulas gold presented to the 2nd petitioner. Hence, the petition.

3. Having registered the case on 10.07.2025, it was taken on file and adjourned to 12.01.2026 for appearance of parties for compliance of statutory period of six months as envisaged under section 13-B of Hindu Marriage Act, 1955.

4. On appearance of both parties on 12.01.2026, the court tried for reconciliation in compliance of section 23(2) of the Hindu Marriage Act and also Section 9 of Family Courts Act, but it is not fruitful as they adhered to take divorce.

5. The petitioners themselves are examined as PW.1 and PW.2 respectively and got marked Exs.P1 to P4.

6. Heard and perused the record.

7. The point for consideration is:-

“Whether the petitioners are entitled for decree for dissolution of their marriage on mutual consent as per Sec.13-B of Hindu Marriage Act”?

POINT:-

8. The petitioners are examined as P.Ws. 1 and 2. In their respective affidavits filed in lieu of their respective chief examinations, they reiterated their version and got marked wedding invitation card, marriage photographs – 4 in number along with CD and photostat copies of their aadhar cards as Exs.P1 to P4 respectively.

(ii) Thus, the evidence of P.Ws.1 and 2 with support of Exs.P1 and P2 proves that the marriage of the petitioners was solemnized on 20.08.2016 as per Hindu rites and customs. Their marriage is consummated and during their wedlock, they blessed with a male child on 04.03.2018 by name Behara Sree Sessa Sai Pranav. Their evidence further shows that during their wedlock, due to misunderstandings, they have developed ill-feeling towards each other and as such, from September 2021 onwards, they have been living separately.

(iii) Their evidence further shows that, the matter was placed before the elders, but the efforts of the elders for their reunion are proved futile. As such, they realized that there is no chance of their reunion and hence they decided to take divorce by mutual consent. Their evidence further shows that they have settled all their disputes including the custody of their son with the 2nd petitioner.

(iv) The evidence of P.Ws. 1 and 2 further shows that they are living separately since September, 2021 and this petition is filed on 02.07.2025 therefore, it shows they are living separately since more than three years and

ten months prior to filing of this petition. Hence, in the said circumstances, this court found all the ingredients of Sec.13-B of Hindu Marriage Act have been made out and satisfied that this is a fit case to grant decree of divorce as prayed by the petitioners.

Accordingly, the point is answered. Hence, the petition shall be allowed.

9. In the result, the petition is allowed. The marriage of the petitioners 1 and 2 performed on 20.08.2016 is hereby dissolved by way of decree of divorce, on mutual consent.

Typed to my dictation by the stenographer of this court, corrected and pronounced by me in the open court, this the 19th day of January, 2026.

Sd/-Smt M.Madhuri

JUDGE,

**Family Court cum IX Addl. District
Judge, Rajamahendravaram.**

APPENDIX OF EVIDENCE

WITNESSES EXAMINED

For Petitioners:-

P.W.1 : Mylavarapu T.V.N.S.Manikya Siri

P.W.2 : Behara Sai Mohan

For Respondent: None.

DOCUMENTS MARKED

For Petitioners:-

For Respondent:- Nil

Ex.P1 is wedding invitation Card

Ex.P2 is the marriage photographs 6 in number with C.D

Ex.P3 is the Photo copy of Aadhar Card of PW1

Ex.P4 is the photo copy of aadhar card of PW2.

Sd/-Smt M.Madhuri

JUDGE.