



Presented on : 14-10-2025
Registered on : 14-10-2025
Decided on : 17-06-2026
Duration: 00 yrs, 08 months, 03 days

IN THE COURT OF THE SENIOR CIVIL JUDGE & J.M.F.C.,
DEVADURGA

Present:
Sri.Suresh Annappa Savadi.,B.A., LLB (SPL),
Senior Civil Judge & JMFC, Devadurga.

M.C.No.24/2025

DATED : THIS THE 17th DAY OF JUNE 2026

- Petitioner: 1. Hanumanta S/o. Yankappa,
Age: 31 years, Occ: Agriculture,
R/o.Suladagudda village, Tq:Devadurga.
2. Reshma W/o.Hanumanta D/o. Nemanna,
Age: 25 years, Occ: Household,
R/o.Suladagudda village, Tq: Devadurga,
Dist: Raichur.

(Petitioner by Sri.B.H. Advocate)

V/s.

Nil

JUDGEMENT

This petition is filed U/sec.13(B) of Hindu Marriage Act 1955 praying for judgment and decree of divorce by mutual consent.



2. The case of the petitioners is that, the petitioner No.1 and 2 are husband and wife. Their marriage was solemnized on 03.05.2020 in front of the house of the petitioner no.1 at Suladagudda village and as per the customs of Hindu religion. The petitioner no.1 and 2 are the cousins in relation. After marriage the petitioners have lived within same home but they were not interested in each other. They were isolated themselves within same home without performing their marital obligations towards each other. There is no cohabitation and no any physical relationship between them. Now also they are not performing their marital obligations each other. Afterwards owing to differences in temperament, habits, tastes, thoughts, status, job and increasing incompatibility. The relationship between the petitioners deteriorated. Frequent quarrels resulted as between them with several reconciliation which did not, however last for any length of time. Finally after very serious quarrel and in order to avoid further deterioration in relationship which might reflect on their families. The petitioners are out of free will. Further efforts and attempts were made by parents of both families to effect a reconciliation and for a resumption of the marital relationship but it has not been possible owing to the vital differences in temperament and total in compatibility giving rise to invincible repugnance which had rendered normal married life, impracticable and impossible and fraught with dangers adverse physical and mental consequences. The first petitioner contended that her



and the second petitioner are separated from 15 months from their marriage and not lived as husband and wife at any point of time. The petitioners have mutually agreed and decided to dissolve their marriage. Further contended that at the time of marriage parents of the petitioner No.2 had given house utensils and also given Rs 7,00,000/-(Seven Lakhs) in the present witness of witnesses. Now the petitioner no.1 given Rs.7,00,000/- to the petitioner no.2 towards her permanent alimony. The petitioners are decided to dissolve their marriage. Hence filed this petition.

3. After registering the case, conciliation was held and all efforts of reunion of the petitioners went in vain. Further the matter was referred to mediation. Even, before the mediator the petitioners expressed that, they are not ready to reconcile the matter.

4. The petitioners have got themselves examined as P.W.1 & 2. They have produced copy of Aadhar card, marriage invitation card which were marked as Ex.P.1 to 3.

5. Heard the arguments. Perused the material on record.

6. The following are the points that would arise for my consideration;

1. Whether the petitioners have made out sufficient grounds U/sec.13(B) of Hindu Marriage Act for dissolution of marriage?



2. Whether the petitioners are entitled for a decree of divorce by their mutual consent?

3. What order?

7. My findings to the above points are as follows:-

Point Nos.1 & 2 : In the affirmative

Point No.3 : As per final order.

For the following;

R E A S O N S

8. **Point Nos.1 and 2:** The petitioner Nos.1 and 2 are examined as P.W.1 and 2. Both of them have filed affidavits in lieu of chief-examination by submitting their consent for divorce. They have reiterated the entire averments made in the petition in their respective affidavits filed by way of chief-examination. They prayed to dissolve the marriage dated 03.05.2020 in front of the house of the petitioner no.1 at Suladagudda village.

9. The facts in the petition and evidence affidavits discloses that the petitioner no.1 and 2 are separated as they are not leaved as husband and wife from 15 month from the date of marriage. Effort was made to conciliate and to resolve their dispute amicably but it was failed mediation effort went in vain and parties are expressed that they are not ready to reconcile the matter. As per the pleadings the petitioner no.2 has taken Rs.7,00,000/- from petitioner no.1 towards her permanent alimony. Hence it appears that there is no chance of reunion in



future. It appear that the marriage relationship between the petitioners has broken down. Looking to the petition averments and evidence it appear that there is no force to either of the parties nor there appear to be collusion. Viewed from all angles the petitioners have made out the case U/Sec.13(B) of Hindu marriage act. Thus this court find no reasons to disbelieve the testimonies of PW.1 and 2. Hence this court answered point no.1 and 2 in the affirmative.

10. **Point No.3:** In view of above discussion, reasons stated and findings given to point Nos.1 and 2, this court proceed to pass the following;

O R D E R

The petition filed U/sec. 13(B) of Hindu Marriage Act 1955 is allowed.

It is decreed that the marriage of the petitioners solemnized on 03.05.2020 in front of the house of the petitioner no.1 at Suladagudda village is dissolved by decree of mutual consent.

No order as to costs.

Draw decree accordingly.



(Dictated to the Stenographer, directly typed by him corrected by me and then pronounced in the open court on this the 17th day of June 2026)

(Sri.Suresh Annappa Savadi)
Senior Civil Judge & J.M.F.C,
Devadurga.

ANNEXURE

1. List of witnesses examined on behalf of petitioner:
PW-1: Hanumanth S/o. Yankappa
PW-2: Reshma W/o. Hanumanth
2. List of documents produced on behalf of petitioner.
Ex.P.1 : Marriage invitation card.
Ex.P.2 : Adhaar Card.
3. List of witnesses produced on behalf of respondent.
-Nil-
4. List of documents produced on behalf of respondent.
-Nil

(Sri.Suresh Annappa Savadi)
Senior Civil Judge & J.M.F.C,
Devadurga.