

IN THE COURT OF THE SENIOR CIVIL JUDGE AT KODAD

Present: Sri. Suresh Kamishetti,
Senior Civil Judge, Kodad.

HMOP No.2 of 2025

(Thursday, this the 31st day of July, 2025)

BETWEEN:

Artham Jyothi W/o. Artham Prashanth, D/o. Vangaveti Srinivasa Rao, Age 32 years, Occ: Private Employee, R/o. Presently residing at H. No.12-119/1, Srinivasa Nagar, Kodad Mandal, Suryapet District.

...Petitioner

AND

Artham Prashanth S/o. Ganesh, Age: 37 years, Occ: Private Employee, R/o. Plot No.20, Near Telangana Minority hostel Road, KVN Reddy Nagar, Lecture's Colony, Baghayathnagar, Hayathnagar, Hyderabad.

... Respondent

This petition is coming before me for final hearing in the presence of Sri S. Radha Krishna Murthy, Counsel for the petitioner and the respondent was remained exparte and having stood over for consideration till this day, this Court pronounced the following:

:: ORDER ::

1. The petitioner, who is the wife of the respondent filed this petition under the ground of cruelty under Sec.13 (1) (ia) of Hindu Marriage Act to dissolve her marriage with the respondent, which was solemnized on 22-02-2019.
2. The brief averments of the petition are as follows:
 - 2(i) Both the petitioner and respondent are Hindus and their marriage was solemnized on 22-02-2019 at Private Function

Hall as per the customs and traditions that were prevailed in their community. All expenses related to the engagement and marriage ceremonies being borne by the petitioner's father, amounting to approximately Rs.15,00,000/-, Petitioner family provided 5 kgs of silver, Rs.18,50,000/- in cash as dowry, which the respondent utilized to purchase 40 thula of gold along with house hold articles valued at Rs.1,00,000/-. The petitioner's family further contributed Rs.5,00,000/- towards the purchase of a new house. During the petitioner's brother's marriage, the petitioner family presented 20 thula gold.

2(ii) The respondent elder sister Jyothi, initiated harassment by making derogatory remarks, including comparing the petitioner's maturity unfavourably to that of her 16 year old daughter, Sharani. The respondent's mother also made defamatory comments regarding the marriage arrangements and disparaged the petitioner's family. The respondent has engaged in an extramarital affair with a colleague named Shruthi. The respondent has been transferring funds to Shruthi from his salary. During the Holi festival, the respondent left the matrimonial home in the morning to meet Shruthi and consumed a significant amount of alcohol. The respondent's sister and brother-in-law confronted him

regarding his excessive drinking, the respondent stated that he did not to continue living with the petitioner and expressed his disinterest in the marriage. During the Ashada Masam, petitioners father incurred expenses amounting to Rs.30,000/-, as directed by the respondents mother. The respondent's mother demanded a silver article as part of the customary offerings.

2(iii) During the hospitalization of the parents of respondent, the petitioner provided care for a period of 30 days. Petitioner became pregnant. In the 8th month of the petitioner's pregnancy, the respondent continued to consume alcohol excessively and while intoxicated, physically assaulted the petitioner causing visible bruises and injuries, at that time mother of the petitioner was also present. Due to the respondent's aggressive and violent behavior, the petitioner and her mother sought refuge in a room, locking the door from the inside for their safety. However, the respondent forcibly broke down the door and continued the assault on both the petitioner and her mother. As a result of the respondent's conduct, the petitioner lived in constant fear and anxiety, creating an environment of ongoing terror. Petitioner's deteriorating health, she sought a routine medical check up at Life Spring Hospital, during the

visit, the petitioner informed the respondent about her condition. However, instead of expressing concern, the respondent questioned the petitioner's decision to seek medical attention without prior consultation with him and subsequently engaged in a confrontation with the petitioners father. Petitioner was admitted for 15 days at Ankura Hospital, Hyderabad and ultimately delivered a baby boy. Even on the day of her discharge, the respondent engaged in a continuous argument with the petitioner and her father. The respondent requested to view the newborn via video calls. Respondent continuous demands, the petitioner in good faith, complied and facilitated such interactions without hesitation. The 11th day ceremony following the birth of the child and performed the customary postnatal rituals (Purudu). The respondent appeared to be under the influence of alcohol and engaged in abusive behavior, verbal assaulting the petitioner with vulgar language and making threats against her and her family. Respondents family requested the petitioner to travel to Hyderabad with the child to perform the customary 21st day ceremony, the petitioner traveled to Hyderabad. On the day of the celebration, the respondent consumed an excessive amount of alcohol, rendering himself unresponsive, further father of

the petitioner called doctor, who arrived at the residence, examined the respondent and strongly advised the respondent and he got admitted Hospital for better treatment. Petitioner took the respondent to the Hospital, Where a CT brain Scan revealed a probable head injury from a fall. The respondent was admitted to the Intensive care unit for more than 15 days before being transferred to the MICU. Upon discharge, the doctor gave strict instruction for the respondent to refrain from alcohol consumption. On 25-10-2024 while the petitioner was discussing the respondent's excessive alcohol consumption with her mother, the respondent overheard the conversation, he abused and physically assaulted the petitioner, resulting in bruises and injuries. For the petitioner's safety, parents of the petitioner made the decision to return to Hyderabad without informing the respondent. Upon their arrival at the respondent's residence, respondent was consuming alcohol and he abused vulgar language and physically assaulting the father of the petitioner, causing injuries. The petitioner contacted the police emergency number 100 and police arrived at the scene and escorted the petitioner and her parents to the Hayathnagar police station. Sister of the respondent was instructed to hand over the child to the

petitioner. Family of the respondent were used to derogatory and defamatory language, including referring to the petitioner and her family as “barking like dogs”. Petitioner returned to her parental home with her son, thereby securing her legal custody of the child. Mother of the respondent made defamatory statement referring to the petitioner as ‘harbinger’ and falsely alleging that the respondent’s father’s demise occurred within a year of the petitioner’s marriage to the respondent. The respondent escalated the harassment by sending offensive and abusive messages through social media, thereby exacerbating the situation and causing significant mental distress to the petitioner. That the petitioner doesn’t want to continue her marital relationship with the respondent, so that the petitioner is constrained to file the present petition against the respondent seeking the dissolution of marriage under cruelty subjected by the respondent. Hence this petition.

3. The respondent failed to appear before the Court even after service of notice held sufficiently upon him and accordingly he was set exparte on 21-03-2025.
4. During the course of enquiry, the petitioner was examined herself as PW1 and got marked Ex.P1 to Ex.P5, one

Vangaveti Srinivasa Rao was examined as PW2, who is father of the petitioner.

5. Heard the learned counsel for the petitioner. She contends that there is no scope for living together in view of the facts stated in the petition and same were proved with the evidence of PW1 & 2.

6. Now the point for consideration is :

Whether the petitioner is entitled to seek the relief of divorce from the respondent on the ground of cruelty as prayed for?

7. Point:

7(i) Perused the entire material on record. The petitioner filed her chief affidavit in lieu of her chief examination and reiterated the contents of main petition and got marked Exs.P1 to P5. The evidence of PW1 & 2 is unchallenged and unrebutted. The respondent remained exparte and did not choose to contest the matter. Therefore, the allegations made in the petition are deemed to have been proved as this court has no reason to disbelieve the version of Petitioner.

7(ii) The evidence of PW1 and 2, proves that the conduct of the respondent, which amounts to cruelty within the meaning of Section 13(1) (ia) of the Hindu Marriage Act. All the above material facts are remained unchallenged and

these acts amount to physical and mental cruelty which clearly shows that the respondent is not showing any interest towards the petitioner and also there is no possibility to live together under one roof and wife and husband.

7(iii) Therefore, in these circumstances and also for the reasons stated in the petition, this court arrives at a conclusion that the petitioner is entitled for the relief of divorce against the respondent on the ground of cruelty. The point is answered accordingly.

8. IN THE RESULT, this petition is allowed by dissolving the marriage between the petitioner and respondent solemnized on 22-02-2019 by granting decree of divorce under the provisions of section 13 (1) (ia) of Hindu Marriage Act w.e.f today i.e., 31st July, 2025. No order as to costs.

(Typed to dictation to Steno, corrected and pronounced by me in the open court, on this the 31st day of July, 2025).

SENIOR CIVIL JUDGE
KODAD.

:: APPENDIX OF EVIDENCE ::

WITNESSES EXAMINED FOR THE PETITIONER:

PW-1	Artham Joythi
PW-2	Vangaveti Srinivasa Rao

FOR THE RESPONDENT:

-NONE-

:: EXHIBITS MARKED ::

FOR THE PETITIONER:

Ex. P-1	wedding card
Ex.P-2	Two Marriage Photographs
Ex.P-3	Copy of Aadhar card of the petitioner
Ex.P-4	Office copy of legal notice, dt. 25-11-2024
Ex.P-5	Postal receipt, dt. 26-11-2024

FOR THE RESPONDENT: - NIL -

SENIOR CIVIL JUDGE,
KODAD.