

IN THE FAMILY COURT, MAVELIKARA
Present: Sri. Abdul Jaleel.A, Judge
Friday, the 27th day of March 2026/6th Chaithra 1948

OP(HMA).No.2036/2025
(Filed on 25.11.2025)

Petitioner: Sreeja.D., Aged 53 years,
D/o.Divakaran, Thadathil House,
Kottackattussery Muri, L.S.P.O.,
Nooranadu, Thamarakulam Village-690571.
(Represented by Power of Attorney Holder,
Jayasree.T.R., Sopanam,
Thathamunna, Palamel,
Nooranadu, Mavelikara)
(By Adv.S.K.Saji & Adv.Jayalekshmi.S)

Respondent: Rajendran.B., Aged 63 years,
S/o.Bhaskaran, Puthuppurackal,
Eruva Padinjaru Muri, Kareelakulangara.P.O.,
Haripad-690572.
(Exparte)

This petition having been finally heard on 19.03.2026 and
the court on 27.03.2026 delivered the following:

JUDGMENT

This is a petition filed u/s 13 (1) (ia) of the Hindu Marriage Act 1955 and Sec.7 of the Family Courts Act for divorce.

2) The petition averments in brief are as follows:- The petitioner is the wife of the respondent. The marriage between the petitioner and the respondent was solemnized on 27.11.1991 at SNDP Mandiram Muthukattukara Nooranadu in accordance with the Hindu religious rites and ceremonies. A female child was born in the lawful wedlock and now the child attained majority. At the

time of marriage the petitioner had adorned 51 sovereigns of gold ornaments. At the time of marriage proposal the respondent caused the petitioner and her parents to believe that the respondent was well placed in Middle-East. Later the petitioner came to know that the respondent had no job in abroad and no stable source of income. On 17.12.1991 the respondent had obtained 46 sovereigns of gold ornaments from the petitioner under the pretext that the gold ornaments will be kept in the locker. The respondent had misappropriated the gold ornaments of the petitioner without her consent and knowledge. On 18.01.1992 when the petitioner asked about the misappropriation of gold ornaments the respondent brutally manhandled the petitioner. The respondent used to come at night with his drunken friends and used to abuse and threaten the petitioner without any provocation. The respondent frequently demanded money and valuables from the parents of the petitioner. Even though the respondent went to gulf and obtained a job in a reputed firm he came back to the native place after few months. Thereafter the petitioner and the respondent started to reside in the newly constructed house. On several occasions the respondent brutally manhandled the petitioner in

drunken condition. The respondent compelled the petitioner to lease out the residential house and property. In the year 2016 the petitioner was forced to sign a lease agreement with a stranger as the respondent had already extracted Rs.6,00,000/- from the said person. In the meantime the petitioner went to Goa in the year 2017 in connection with her employment. The respondent even disposed the household articles for consuming alcohol. The petitioner came back to the native place in the middle of 2017. In the year 2018 the petitioner was constrained to sell her property due to the physical torture on the part of the respondent. The petitioner went to gulf in the year 2018 and thereafter the petitioner and the respondent are living separately. On 09.06.2024 the petitioner came to the native place to look after her aged mother and stayed for six months. During the said period also the respondent had created all sorts of nuisance. The petitioner's mother died on 21.08.2025. Even at the funeral function the respondent created noisy altercations at the house of the petitioner. The respondent had treated the petitioner with cruelty. The marital relationship between the petitioner and the respondent is irretrievably broken down and there is no chance for reunion. Hence the OP is filed for divorce.

3) The respondent remained ex-parte.

4) The power of attorney holder of the petitioner filed proof affidavit and Ext.A1 and A2 were marked.

5) Points for consideration are

1. Whether the respondent had treated the petitioner with cruelty?
2. Whether the petitioner is entitled to a decree of divorce as prayed for ?

6) Heard the learned counsel for the petitioner.

7) **Point No.1 and 2:-** The petitioner is the wife of the respondent. They are Hindus and governed by the provisions of the Hindu Marriage Act. The marriage between the petitioner and the respondent was solemnized on 27.11.1991 at SNDP Mandiram Muthukattukara Nooranadu in accordance with the Hindu religious rites and ceremonies. Ext.A1 is the true copy of certificate of marriage. Ext.A2 is the General Power of Attorney executed by the petitioner. In the case at hand the petitioner is seeking a decree of divorce on the ground of cruelty. The respondent remained ex-parte and did not contest the case. The petition averments coupled with the proof affidavit filed by the

power of attorney holder of the petitioner would show that the respondent had treated the petitioner with cruelty. Hence I find that the petitioner is entitled to a decree of divorce on the ground of cruelty. The points are answered accordingly.

In the result, the petition is allowed as follows:-

The marriage between the petitioner and the respondent solemnized on 27.11.1991 is declared dissolved under section 13 (1) (ia) of the Hindu Marriage Act with effect from today. No order as to costs.

(Dictated to the Confidential Assistant, typed by her, corrected by me and pronounced in open court on this the 27th day of March, 2026)

Sd/-
Abdul Jaleel.A
Judge

Appendix:-
Exhibits marked for petitioners:-

A1	24.02.2009	Marriage certificate issued by Palamel Grama Panchayat
A2	--	Power of Attorney

Witness examined for petitioners:-

Proof Affidavit	10.03.2026	Jayasree.T.R (Power of Attorney holder of petitioner)
-----------------	------------	---

Id/-
Judge