

**IN THE COURT OF THE JUDGE, FAMILY COURT,
KATTAPPANA**

PRESENT: SHRI. S. K. ANILKUMAR, JUDGE

Monday, the 1st day of June, 2026 /11th day of Jaishtha, 1948

O.P.(Div.)483/2026

(Filed on 04/05/2026)

PETITIONERS : 1. Mekha Mariya Thomas, aged 26 years, D/o
Thomas Kutty, Kulangaramuriyil, Manimala P. O.,
Vellavoor, Kottayam, Pin 686543.

2. Joppan Joseph Varkey , aged 28 years, S/o
Joseph Varkey, 1/80D Puthuparampil Kunnel,
Peruvanthanam, Mundakayam East, 35th Mile,
Peruvanthanam, Idukki, Pin : 686513.

By Adv. Devi Kripa M. R.

RESPONDENT : NIL.

This petition has been filed Under Section 10 (A) (1) & (2) of the
Indian Divorce (Amendment) Act 2001 read with Section 7(1) of
Family Courts Act for dissolution of marriage by mutual consent
and coming on for hearing before me on 21.05.2026 in the

presence of the above counsel and having been stood over for consideration till 01.06.2026 and the court on the same day delivered the following:-

JUDGMENT

This petition is filed u/s 10A of the Divorce Act by the petitioners for the dissolution of their marriage by mutual consent.

2. **The averments in the petition are as follows:-** The petitioners are husband and wife. Their marriage was solemnized on 24.10.2019 in Ukraine as per applicable laws. There are no children born in the wedlock. After the marriage, due to difference of opinions, taste and ideology, their marriage life became unhappy. Both of them had strong differences of opinion, that made a smooth marital life impossible. It resulted in their setting apart on 10.05.2023. All efforts of their parents and relatives to reunite them went in vein. So, they decided to dissolve their marriage by mutual consent. All the claims between them have been settled. There is no collusion or connivance between them in filing this petition.
3. Petitioners sought for waiving the cooling period of 6 months (I.A.3/26), which was allowed as it is found that there is no chance for their reunion and the efforts made for the same through mediation, conciliation and counselling has failed and that the cooling period will only prolong their agony.

4. The points for consideration in this case are:-

i) Are the petitioners entitled to get a decree dissolving their marriage u/s 10 A of the Divorce Act?

ii) Reliefs and costs?

5. Inquiry conducted by taking statements of the petitioners and Exts. A1, A2 documents were marked.

6. **Point No. 1:-** It is seen the petitioners reiterated the contentions in the petition regarding their marriage and their inability to cohabit as husband and wife owing to various reasons. They stood by it while giving statements before the court, with the assertion that they no longer could live together as husband and wife and that they have mutually agreed to dissolve their marriage by getting a decree of divorce. It is seen the said agreement is made voluntarily without any compulsion from others and there is no collusion between them.

7. In this regard an effort was made for reconciliation by sending the petitioners for counselling, but it failed as seen from the report of the Counsellor that there is no chance for reunion.

8. It is proved that there is no cohabitation between the petitioners since 10.05.2023. They are not able to live together. Their consent for divorce is voluntarily made on their own power and volition. Statutory period of 6 months is waived. There is no other bar for granting the relief of dissolution of their marriage by a decree of divorce by mutual consent. Accordingly the point is answered in favour of the petitioners.

9. **Point No. 2:-** In the result,

- i) The original petition is decreed.
- ii) The marriage between Mekha Mariya Thomas and Joppan Joseph Varkey solemnized on 24.10.2019 in Ukraine is hereby dissolved by a decree of divorce by mutual consent, with effect from the date of this judgment.
- iii) Both petitioners shall bear their respective costs.

Dictated to the Confidential Assistant, transcribed and typed by her, corrected by me and pronounced in the open court on this the 1st day of June, 2026.

**S.K. ANILKUMAR,
JUDGE, FAMILY COURT,
KATTAPPANA**

APPENDIXPetitioner's Exhibits:-

A1 26.10.2024 : True Copy of Marriage Certificate.

A2 26.10.2024 : Translate Version of A1.

Respondent's Exhibits:- : Nil.

Court Exhibits:- : Nil.

Petitioners' Witness:-

PW1 21.05.2026 : Mekha Mariya Thomas.

PW2 21.05.2026 : Joppan Joseph Varkey.

Respondent's Witness:- : Nil.

Court Witness:- : Nil.

JUDGE

Judgment in
O.P.(Div.) 483/2026
Dated: 01.06.2026