

IN THE COURT OF THE JUDGE, FAMILY COURT, VATAKARA

Present:- Smt. MINI.R, JUDGE

Saturday the 30th day of May 2026

O. P. No.558/2026

Petitioners

1. Rahul.V, S/o Radhakrishnan, aged 35 years, Valiyil House, Kannambalatheru, Karumbapoyil, Naduvannur PO, Naduvannur Village, Koyilandy Taluk, 673614.
2. Nileena Suresh.K, D/o Late Baby Suresh, aged 31 years, Kommottuthazhe House, Kakkanchery PO, Ulliyeri Village, Koyilandy Taluk, Kozhikode District, 673323.

This petition coming on 26th day of May 2026 for hearing before me in the presence of Smt.C.P.Sharmila and P.S.Seena, Advocates for petitioners and having stood over to this day for consideration, the court passed the following.

J U D G M E N T

Petition filed under Section 13 B of the Hindu Marriage Act 1955 and under section 7 (1) (a) of Family Courts Act 1984 for dissolution of the marriage on mutual consent.

1. The averments in the petition are as follows:

The petitioners got married as per their customary rites on 31.12.2017 at the residence of second petitioner at Ulliyeri, Quilandy, Kozhikode and thereafter, started living together as man and wife. The marriage was registered before the Local Registrar of Marriages (Common), Ulliyeri Grama Panchayat as Registration No.15/2018 dated 05.02.2018. But the matrimonial relationship became strained and they are living separately from 22.02.2021 onwards. One child is born out of the wedlock. They have realized that they

have not been able to live together and that they have mutually agreed that their marriage should be dissolved. They have taken this decision out of their free will and volition.

2. On appearance of the parties, they were sent for counseling. It was reported that there is no chance for reunion. There is hardly any scope for a second thought or reconciliation.

3. The points that arise for consideration are as follows:

(1). Whether the petitioners are entitled to get a decree of dissolution of their marriage under Section 13-B of the Hindu Marriage Act as prayed for?.

(2). Reliefs and costs?.

4. The petitioners were examined as PW1 and PW2. Ext.A1 was marked.

5. Heard.

6. **Point No.(1) :-** The parties being Hindus are governed by Hindu Marriage Act. Their marriage was solemnized on 31.12.2017 at the residence of second petitioner at Ulliyeri, Quilandy, Kozhikode, as per Hindu rites. According to petitioners, due to difference of opinion, they have a strained relationship. The parties have been living separately for a period starting from 22.02.2021 ie., more than one year. They have not been able to live together and that they have mutually agreed that the marriage should be dissolved.

7. The OP was filed on 25.05.2026. Six months have not elapsed after presentation of the petition for mutual divorce. IA.3/2026 with a prayer to waive the statutory period of six months has been allowed as per the order dated 26.05.2026.

8. This court is satisfied, after hearing the parties and making an

enquiry, that a marriage has been solemnized between the petitioners and that the averments in the petition are true. The entire issues between the parties are settled and that the parties have filed this petition on mutual consent without any collusion or connivance. There is hardly any ground why the prayer should not be granted.

9. In the aforesaid circumstances, parties are entitled to a decree of dissolution of marriage by mutual consent as prayed for. This point is answered accordingly.

10. **Point No.(2)** :- In the result, this petition is allowed, and a decree of dissolution of marriage between the petitioners solemnized on 31.12.2017 is passed under Section 13-B of the Hindu Marriage Act 1955 with effect from the date of decree i.e; 30.05.2026.

(Typed by the Confidential Assistant, corrected by me, and pronounced in open Court on this the 30th day of May, 2026).

Sd/-
Mini.R, Judge

Witness Examined :-

PW1 26.05.2026 : Rahul.V, S/o Radhakrishnan

PW2 26.05.2026 : Nileena Suresh.K, D/o Late Baby Suresh

Exhibit Marked :-

A1 14.05.2018 : Copy of marriage certificate issued by Local Registrar of Ulliyeri Grama Panchayath.

Sd/-
Mini.R, Judge