

IN THE COURT OF THE JUDGE, FAMILY COURT, VATAKARA

Present:- Smt. MINI.R, JUDGE

Saturday the 30th day of May 2026

O. P. No.1053/2025

Petitioners

1. Mijesh.K, S/o Ragini.C, aged 41 years, Eerath kandy House, Balussery, Panangad Village, Thamarassery Taluk, Kozhikode District, Pin-673612, Rep.by Miniya, W/o Vijayakumar, Prayullakandi, Panangad, Vattoli Bazar, Kozhikode District, Kerala, 673612.
2. Aswani, C/o Mijesh.K, aged 28 years, Eerath kandy House, Panangad Village, Thamarassery Taluk, Kozhikode District, Pin-673612.

This petition coming on 26th day of May 2026 for hearing before me in the presence of Ambili.K, 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 06.11.2016 at the residence of second petitioner at Kanthalad, Thamarassery, Kozhikode and thereafter, started living together as man and wife. The marriage was registered before the Local Registrar of Marriages (Common), Panangad Grama Panchayat as Registration No.5/2017 dated 11.01.2017. But the matrimonial relationship became strained and they are living separately from 25.08.2024

onwards. Two children are 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 power of attorney holder of first petitioner was examined as PW1 and second petitioner was examined as 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 06.11.2016 at the residence of second petitioner at Kanthalad, Thamarassery, 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 25.08.2024 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 13.11.2025. The statutory period of six months has elapsed.

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

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 06.11.2016 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 : Minija, (POA holder)

PW2 26.05.2026 : Aswani

Exhibit Marked :-

A1 04.10.2025 : Copy of marriage certificate issued by Local Registrar of Panangad Grama Panchayath.

Sd/-
Mini.R, Judge