

In the Court of the Principal District Judge,
Kancheepuram District @ Chengalpattu

Present :- Thiru. R.Selvakumar B.A.M.L
Principal District Judge, Chengalpattu

Saturday the 3rd day of February 2018.

Indian Divorce Original Petition No. 68/2017.

1. Virgina Jacob
 2. T.Ajay Mathew @ Don Mathew.
- ..Petitioners

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This petition is coming on 22.01.2018 before me for final hearing in the presence of Mrs.V.Preetha, Advocate for 1st petitioner, Thiru Manickam, Advocate for the 2nd Petitioner, upon hearing the arguments and upon perusing the documents, this Court delivered the following

ORDER

This application has been filed by the petitioners U/s 10A of Indian Divorce Act 1869 for grant of divorce by dissolving the marriage held between the petitioners on 23-08-2012 at Holy Trinity Cathedral, Trivandrum Road, Palayamkottai, Tirunelveli by mutual consent.

2. In order to prove the case of the petitioners, the petitioners were examined themselves as PW1 and PW2. Through them 7 documents were marked as Ex.P1 to Ex.P7.

3. The Point :

Whether the petitioners are entitled to get divorce by mutual consent?

4. Point:-

This application was filed on 21.07.2017 and taken on file on the same day. After hearing the petitioners the Court adjourned the matter to 22.01.2018 by giving 6 months of time for reflection and reconsideration. On 22-01-2018 both the petitioners were present and filed Proof Affidavits reinstating their demand for divorce by mutual consent.

5. Ex.P.1 is the xerox copy of the passport of the 1st petitioner. Ex.P.2 is the Marriage Invitation of the petitioners. Ex.P.3 is the marriage photo of the petitioners. Ex.P.4 is the marriage certificate of the petitioners. Ex.P.5 is the birth certificate of the minor child Israel George. Ex.P.6 is the copy of the divorce petition in IDOP.No. 68/2017 filed by the 2nd petitioner against the first petitioner. Ex.P.7 is the xerox copy of the driving licence of the 2nd petitioner.

6. As per Ex.P.4 the marriage between the petitioners was solemnized on 23-08-2012 at Tirunelveli. As per Ex.P.1 and Ex.P.6 the 1st petitioner was residing at Perungudi, Chennai within the jurisdiction of this court. Out of their wedlock a male child by name Israel George was born to them. Due to misunderstanding the petitioners could not proceed further with their matrimonial life. The first petitioner undertakes the custody of the minor son for which the 2nd petitioner has no objection. There is no co-habitation between the petitioners. All the efforts taken by the family and friends ended in vain. Both of them do not have any claim on each other. The claim of the petitioners appears to be genuine. On enquiry by the Court also they submitted that there is no scope or opportunity for re-union. Hence, this Court is of the considered view that it is fit to allow this application.

7. In the result this petition is allowed. The marriage solemnized between the petitioners on 23.08.2012 is dissolved by mutual consent.

Directly dictated to the Stenographer, computerized by her, corrected and pronounced by me in open court, this the 3rd day of February 2018.

Sd/-R.Selvakumar

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Principal District Judge,
Chengalpattu.

Petitioner's side Witnesses:-

PW1. Mrs.Virgina Jacob

PW2. Mr. T.Ajay Mathew @ Don Mathew

Petitioner's side Exhibits :

Ex.P.1	--	Xerox copy of the passport of the 1 st petitioner.
Ex.P.2	23.08.2012	Marriage Invitation.
Ex.P.3	--	Marriage Photo.
Ex.P.4	06.09.2012	Xerox copy of certificate of marriage.
Ex.P.5	16.06.2014	Xerox copy of the Birth certificate of Israel George.
Ex.P.6	--	Copy of the divorce petition in IDOP.No. 68/2017 between the petitioners.
Ex.P.7	--	Xerox copy of the driving licence of the 2 nd petitioner.

Sd/-R.Selvakumar
Principal District Judge,
Chengalpattu.