

IN THE COURT OF THE PRINCIPAL SENIOR CIVIL JUDGE, CHITTOOR.

Present :-**Sri P.V.S. SURYA NARAYANA MURTHY**,
Principal Senior Civil Judge, Chittoor.

Thursday, this the 18th day of July, 2019.

H.M.O.P. No. 13 of 2019**BETWEEN:**

Kilari Anusha, W/o G.Suresh, D/o K. Nagaraja Naidu, aged 30 years, residing at Settigaripalle village, Diguvamasapalle post, Chittoor Mandal and District.

..Petitioner.

AND:

Gedupuri Suresh, S/o G. Munirathnam Naidu, aged 32 years, residing at D. No. 1-26, Thellagundlapalle village, Pantrampalle post, Thavanampalle Mandal, Chittoor district.

..Respondent.

This petition coming on 20.06.2019 before me for hearing in the presence of **Sri C. Subramanyam**, Advocate for the petitioner and the respondent remained *exparte* and after hearing the Counsel for petitioners and on perusing the material on record, this Court made the following :

ORDER

This petition is filed under section 13 (1) (ia) of Hindu Marriage Act by the petitioner (wife) against the respondent (husband) seeking this Court to dissolve the marriage between the petitioner and the respondent held on 09-02-2017 by granting a decree of divorce.

2. The brief averments of the petition is as follows:-

The petitioner is the legally wedded wife of the respondent and their marriage took place on 09-02-2017 in R.L.N. Convention Hall Estate, Puttur Road, Chittoor Town and District as per Hindu rites and customs. The parents of the petitioner gave gold and silver ornaments and also spent more than Rs. 12,00,000/- towards marriage expenses. At the time of the marriage, the respondent and his family members informed that the respondent was working as Software Engineer in 'Pri Tech Part' Bengaluru and drawing

Rs. 75,000/- per month. After marriage the petitioner had joined with the respondent at her matrimonial home where the parents, sister and his brother were living jointly. Thereafter the respondent and his family members started demanding additional dowry of Rs. 10,00,000/- and also gold and silver ornaments. The petitioner failed to fulfill the illegal demands of the respondent and his family members and the respondent started suspecting the fidelity of the petitioner without any reason and failed to provide proper day to day needs and requirements. The petitioner came to know that the respondent is having all bad vices and started giving mental torture to the petitioner and not co-operated with the petitioner for conjugal happiness and on 09-04-2017 the respondent necked out the petitioner in to the streets from the matrimonial home and hence she came to her parents house and living with her parents. Later a mediation was held, but the respondent and his family members did not choose to heed the advice of the elders. During the short period of stay of the petitioner in matrimonial home, the respondent and his family members treated the petitioner as house maid. The petitioner waited all these days with a fond hope that the respondent may change his attitude, but in vain. Hence, this petition.

3. The respondent remained exparte.

4. The petitioner herself got examined as PW.1 and one K. Nagaraju Naidu as PW2. Exhibits A1 and A2 are marked.

5. Heard.

6. **Now the point for consideration is:-**

"Whether the petitioner is entitled for the petition relief?"

7. **POINT:**

This petition is filed by the petitioner under section 13 (1) (ia) of Hindu Marriage Act seeking this Court to dissolve the marriage between the petitioner and the respondent held on 09-02-2017. PW1 reiterated the

petition averments in her chief examination. Exhibit A1 is the marriage wedding card. Exhibit A2 is the marriage photograph. The unchallenged evidence of PW1 and PW2 coupled with Exhibits A1 and A2 proves that the respondent married the petitioner on 09-02-2017 in R.L.N. Convention Hall Estate, Puttur Road, Chittoor..

[a] The present application is filed under section 13 (1) (ia) of Hindu Marriage Act, which reads thus:

13. Divorce:- (1) Any marriage solemnized, whether before or after the commencement of the Act, may, on a petition presented by either the husband or the wife, be dissolved by a decree of divorce on the ground that the other party-

(i) -----

(ia) has, after the solemnization of the marriage, treated the petitioner with cruelty.

[b] The specific version of the petitioner is that soon after the marriage she joined with the respondent in her matrimonial home and the respondent and his family members started abusing the petitioner in filthy language by demanding additional dowry. Further version of the petitioner is that the respondent did not co-operate for conjugal happiness and finally he necked out her from the matrimonial home on 09-04-2017 and there is no other alternative she is living with her parents. The evidence of PW1 is supported by the oral evidence of her father i.e., PW2. So PW1 and PW2 have specifically stated that on 09-04-2017 the respondent thrown the petitioner from the matrimonial home. Though they raised mediation, the respondent did not heed the advice of the elders. The unchallenged evidence of PW1 and PW2 shows that the respondent treated the petitioner with cruelty. Hence, the petitioner is entitled for the petition relief. This point is answered accordingly.

08. In the result, this petition is allowed and the marriage of the petitioner and the respondent held on 09-02-2017 in R.L.N. Convention Hall Estate, Puttur Road, Chittoor is hereby dissolved by granting divorce.

Dictated to the Stenographer-III, transcribed by him, corrected and pronounced by me in the open Court this the 18th day of July, 2019.

**PRINCIPAL SENIOR CIVIL JUDGE,
CHITTOOR.**

**APPENDIX OF EVIDENCE
WITNESSES EXAMINED FOR**

PETITIONER:

RESPONDENT:

PW1: K. Anusha

PW2: K.Nagaraja Naidu

-None-

DOCUMENTS MARKED

PETITIONER:

Exhibit A1 is the marriage wedding card.

Exhibit A2 is the marriage photograph.

RESPONDENT: Nil

**PRINCIPAL SENIOR CIVIL JUDGE,
CHITTOOR.**