

**IN THE COURT OF THE SUBORDINATE JUDGE, RANIPET**

**PRESENT: Tmt J. Barathi, B.Sc., B.L.,  
Subordinate Judge, Ranipet.**

**Friday, the 07<sup>th</sup> day of August 2026**

**H.M.O.P. No: 43 of 2025**

**CNR NO. TNRP03000209-2025**

V. Malarvizhi

...Petitioner

/Vs./

S.Vengatesan

...Respondent

This petition came before me on 29.07.2026 for final hearing in the presence of Thiruvallargal. M.Kannan and Hari perumal, Counsels for the petitioner and respondent having remained exparte, upon hearing the arguments of the petitioner and having stood over for consideration till this day, this court delivered the following:-

**ORDER**

This petition has been filed by the petitioner under Section. 13 (1) (i-a) (i-b) of the Hindu Marriage Act seeking decree of divorce in favour of the petitioner after dissolving the marriage between the petitioner and respondent.

**2. The petition averments are shortly summarized as follows:**

a). The marriage between the petitioner and the respondent was solemnized on 02.06.1993 at Bharathi raja Marriage hall S.V.Town, Arani, Tirunvannamalai Dist., as per hindu rites and caste customs and it was an arranged the marriage with two families. After the marriage, the petitioner and respondent started to live together as husband and wife in respondent home as hindu joint family in the Chittanthangal Village,

Kalavi. Due to the said wedlock a male child was born. Now he is aged about 24 years. The petitioner and respondent lived together for 12 years and 7 years after the marriage, a son named Yuvaraj was born. Five years after the birth of their son Yuvaraj, the respondent chased away the petitioner and son on suspicion. During the 12 years of living with the respondent, petitioner has experienced only cruelty and torture. The respondent sent the petitioner to do daily wage work and earned income from it and started a finance business. It was the respondent's intention to send the petitioner to wage labour despite the fact that he has enough land facilities. Apart from this it was always his intention to torture his wife only by suspecting her and beating her. At the time of her marriage, her parents presented her 20 sovereigns of jewels and bangles and utensils.

b). After receiving all these, the respondent committed cruelty by demanding dowry again and again and for 12 years, the petitioner has never had a single day of peace in her house. The respondent also kept bullying the petitioner by saying that their son was not born to him. Out of twenty sovereigns brought by petitioner, the respondent has not returned even one sovereign despite the fact that respondent has good land facilities and usury business. The respondent also threatened to kill the child if petitioner doesn't leave the house, so she left for her parents' house in 2005. Several times the petitioner tried to negotiate with respondent, but he never accepted her. The respondent also threatened to kill this child Yuvaraj if petitioner returned back. The petitioner is living alone with her son for 19 years without any other option. The respondent's father had six acres of land and he passed away in 2018. Then respondent immediately wrote all his shares which came to him to his elder brother and younger brother for the reason that if it was in his name, the same will go to petitioner and their son Yuvaraj. Till now respondent had invested up to ninety lakhs rupees in finance business.

c). When the petitioner questioned the act of the respondent, the respondent insulted the petitioner by saying, you have to work for wages and eat until the end. The petitioner suffered mental agony, distress and cruelty made by the respondent, and is living separately for the past 19 years. The petitioner issued a lawyer notice dated 19.11.2014 to the respondent seeking divorce and the same was received by respondent on 20.11.2024. Hence this petition is filed for dissolution of their marriage by a decree of divorce, on the ground of cruelty and prays for allowing the petition.

3. In this case, the respondent even though appearance through counsel, he failed to file counter in spite of granting sufficient opportunities. Hence the respondent was called absent and set ex parte and remained ex parte.

**4. Point for consideration:-**

Whether the decree of divorce is to be passed in favour of the petitioner after dissolving the marriage between petitioner and respondent?

**5. Evidence let in:**

On the side of the petitioner, the petitioner let in evidence as PW1 and relied on 6 documents marked as Ex.P1 to Ex.P6.

**6. Answer to the Point:**

a). The case of the petitioner is that the marriage between her and the respondent marriage was solemnized on 02.06.1993 at Bharathi Raja Marriage hall S.V.Town, Arani, Tirunvannamalai District, as per Hindu rites and caste customs and it was an arranged marriage. After the marriage, they started to live together as husband and wife in respondent's

home as hindu joint family in the Chittanthangal Village, Kalavi. Due to the said wedlock, a male child was born and now, he is aged about 24 years. The petitioner further contends that she and respondent lived together for 12 years since marriage, and 7 years after both had a son named yuvaraj. Five years after the birth of their son Yuvaraj, the respondent chased her away along with their son on suspicion. During the 12 years of living with the respondent, she has experienced only cruelty and torture. The petitioner also contends that the respondent always sent her to do wage work and earned income from it and started a finance business. It was the respondent's intention to send her to wage labour despite the fact that he had enough land facilities. Apart from this, it was always the respondent's intention to torture her and beating her. The petitioner also contends that at the time of their marriage, she has brought from parents, her 20 sovereign of jewels and bereau and utensils in order.

b). The petitioner also contends that, after receiving all these, the respondent committed cruelty by demading dowry again and again and for 12 years, she has never had a single day of peace in her house. The respondent also kept bullying her by saying that their son was not born to him. Out of twenty sovereign brought by her, the respondent has not returned even one sovereign despite the fact that he has good land facilities and usury business. The respondent also threatened to kill he child if she don't leave the house, so she left for her parents house in 2005. Several times she tried to negotiate with respondent, but he never accepted her. The respondent also threatened to kill their child Yuvaraj if she returned back. The petitioner also contends that she is living alone with her son for 19 years without any other option. The respondent's father had six acres of land and he passed away in 2018, and the respondent immediately wrote all his shares which came to him to his elder brother and younger brother

for the reason that if it was in his name, the same will go to her and their son Yuvaraj. Till now respondent had invested upto ninety lakhs rupees in finance business.

c). The petitioner further contends that when she questioned, the act of the respondent, the respondent insulted her by saying, that you have to work for wages and eat until the end. The petitioner also contends that she suffered mental agony, distress and cruelty committed by the respondent, and is living separately for the last 19 years. The petitioner also contends that she issued a lawyer notice dated 19.11.2014 to the respondent seeking divorce and the same was received by respondent on 20.11.2024. Hence this petition is filed for dissolution of their marriage by a decree of divorce, on the ground of cruelty and prays for allowing the petition.

7. In order to prove her case, the petitioner let in evidence as PW1 relied on 6 documents marked as Ex.P1 to Ex.P6. Wherein Ex.P1 is the Xerox copy of Aadhar Card of petitioner, Ex.P2 is the Xerox copy of Aadhar card of Respondent, Ex.P3 is the Xerox copy of Marriage Invitation of petitioner, Ex.P4 is the Lawyer Notice dated 19.11.2024, Ex.P5 is the Postal Department Article Tracking Details, Ex.P6 is the Copy of Receipt of Register Post Booking from Post Office. PW1 in this case has deposed about the cruelty meted out by him through the respondent.

8. In this case, as the respondent remained exparte, there is no contra evidence to reject the case of the petitioner. Considering the above facts and circumstances, this court comes to the conclusion that the petitioner has proved her case for divorce on the ground of cruelty and this court is inclined to allow this petition.

In the result, this petition is allowed and the marriage between the

petitioner and the respondent dated 02.06.1993 is hereby dissolved.  
No costs.

Dictated by me to the Steno-Typist, computerized by her directly to my dictation, corrected and pronounced by me in the open court, on this the 07<sup>th</sup> day of August 2026.

**Subordinate Judge,  
Ranipet.**

**Witness examined on the side of the Petitioner :-**

PW1 : Tmt.Malarvizhi

**Exhibits marked on the side of the Petitioner :-**

|         |            |                                                           |
|---------|------------|-----------------------------------------------------------|
| Ex.P1 : | --         | Xerox copy of Aadhar Card of petitioner.                  |
| Ex.P2 : | --         | Xerox copy of Aadhar card of Respondent                   |
| Ex.P3 : | --         | Xerox copy of Marriage Invitation of petitioner           |
| Ex.P4 : | 19.11.2024 | Lawyer Notice                                             |
| Ex.P5 : | --         | Postal Department Article Tracking Details                |
| Ex.P6 : | --         | Copy of Receipt of Register Post Booking from Post Office |

**Witness examined and Exhibits marked  
on the side of the Respondent :-**

**Nil.**

**Subordinate Judge,  
Ranipet.**