

IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE, THANJAVUR.

PRESENT: **Thiru.P.Velmurugan, B.A., B.L.,**
Principal District Judge, Thanjavur.

Monday, the 23rd day of March, 2026.

(Thiruvalluvarandu 2057 Sri Visuwavasu Varudam Panguni Thingal 9th day)

Divorce Original Petition No. 190/2025

CNR No. TNTJ01 011416 2025

S.Jaculine Pushpa

...

Petitioner

versus

S.John Sebastin

...

Respondent

This Divorce Original Petition was taken up before this Court for final hearing on 11.03.2026, in the presence of Mr.G.Karthi, Learned Advocate appearing for the petitioner and the respondent remained exparte and, upon hearing the arguments advanced on the side of the petitioner and upon perusing the oral and documentary evidence and having stood over for consideration till date, this Court passed the following ...

ORDER

(1) This Divorce Original Petition has been filed by the petitioner under Section 10(1)(vii)(ix)(x) of the Divorce Act, 1869 as amended by the Amendment Act, 2001, seeking a decree of divorce to dissolve the marriage solemnized between the petitioner and the respondent on 16.09.2021 at Sembattu Amala Annai Church, Trichirapalli, with costs.

(2) Brief averments in the petition are as follows:

(2.1) The marriage between the petitioner and the respondent was solemnized on 16.09.2021 at Amala Annai Church, Sembattu, Trichy, in the presence of priests, elders, and family members in accordance with Christian rites and customs, and was subsequently registered with the Catholic Mission, Trichy Diocese.

(2.2) The marriage was arranged with mutual consent of both families after preliminary meetings. At the time of marriage negotiations, the respondent's side represented that he was employed, well-settled, non-alcoholic, and financially stable, and assured that the petitioner could continue her education after marriage.

(2.3) At the time of engagement and marriage, the petitioner's family provided gold, household articles, and incurred substantial expenses. However, disputes arose immediately regarding alleged insufficiency of jewels.

(2.4) After marriage, the petitioner began residing in the respondent's house. Soon thereafter, the respondent was found to be addicted to alcohol and subjected the petitioner to physical and verbal abuse, often under intoxication. He also demanded money from the petitioner's family and prevented her from continuing her education, contrary to earlier assurances.

(2.5) The respondent and his relatives allegedly harassed the petitioner, took away her jewels, denied her basic necessities, and treated her like a domestic servant. The respondent also destroyed her phone, thereby affecting her studies.

(2.6) On multiple occasions, the petitioner was assaulted severely, including an incident where she sustained head injuries requiring medical treatment. Complaints were made before the police, but reconciliation attempts failed.

(2.7) The respondent frequently deserted the petitioner, was not traceable for long periods and ultimately refused to live with her. Despite police intervention, he expressed unwillingness to continue the marital relationship.

(2.8) The respondent was in an illicit relationship with his aunt, which came to light through a video, explaining his abusive conduct. Since 01.06.2023, the respondent has completely deserted the petitioner and has neither cohabited with her nor provided any maintenance. The petitioner apprehends danger to her life if she resumes cohabitation.

(2.9) The respondent has failed in his marital obligations, subjected her to cruelty, and abandoned her for over two years from 01.06.2023, rendering the marriage irretrievably broken. Hence, the petitioner seeks dissolution of marriage by decree of divorce, along with costs.

(2.10) Though notice was served on the respondent, he remained absent and was set ex parte.

(3) To prove her case, the petitioner filed her proof affidavit and examined herself as PW1. She also marked five documents, namely, the marriage invitation, marriage registration certificate, marriage photograph, and xerox copies of the

Aadhaar cards of the petitioner and the respondent, which were marked as Ex.P1 to Ex.P5 respectively.

(4) Point for consideration in this petition, is that

Whether the petitioner is entitled for the relief of divorce as prayed for ?

Point:

(5) Heard. Perused the records.

(6) On careful perusal of the pleadings and the oral evidence, it is seen that the marriage between the petitioner and the respondent was solemnized on 16.09.2021 at Amala Annai Church, Sembattu, Trichy, and thereafter they commenced their matrimonial life at the respondent's residence. The same has been duly proved through Ex.P1 to Ex.P3.

(7) The evidence of PW1 clearly establishes that soon after the marriage, the respondent developed abusive behaviour, subjected the petitioner to both physical and mental cruelty, and made unlawful demands for money and jewels. The petitioner has further deposed that the respondent was addicted to alcohol, assaulted her on several occasions, prevented her from continuing her education, and denied her basic necessities.

(8) It is also evident from the evidence of PW1 that the respondent deserted the petitioner from 01.06.2023 without any reasonable cause and has neither cohabited with her nor provided maintenance thereafter. The petitioner has further stated that the respondent's conduct, including his alleged illicit relationship and

repeated acts of violence, has created a reasonable apprehension in her mind that it is unsafe to live with him.

(9) In the absence of any rebuttal evidence from the respondent, this Court finds no reason to disbelieve the version of the petitioner. The unrebutted testimony of PW1, coupled with the documents marked as Ex.P1 to Ex.P5, sufficiently establishes that the petitioner was subjected to cruelty and desertion by the respondent.

(10) In view of the materials available on record, this Court is satisfied that the respondent has treated the petitioner with cruelty and has deserted her without reasonable cause, failed to cohabit with her, and has not provided maintenance. Hence, this Court holds that the petitioner is entitled to a decree of divorce and accordingly proceeds to allow this petition as prayed for. Thus, the point is answered accordingly.

(11) In the result, this petition is allowed granting a decree of divorce dissolving the marriage between the petitioner and the respondent held on 16.09.2021 at Sembattu Amala Annai Church, Trichirapalli. No costs.

This Order is dictated to the Stenographer Grade – I of this Court, typed by her in computer directly, corrected and pronounced by me in the open Court, on this 23rd day of March, 2026.

Principal District Judge,
Thanjavur.

Witness examined on the side of the petitioner:

PW1 S.Jaculine Pushpa, D/o.Selvaraj, W/o.John Sebastin. (Petitioner)

Documents marked on the side of the petitioner:

- Ex.P1 16.09.2021 Original Wedding Invitation.
- Ex.P2 24.02.2025 Original Extract from the Register of marriages issued by the Parish Priest, Catholic Mission, Tiruchirapalli Diocese.
- Ex.P3 16.09.2021 Wedding Photograph.
- Ex.P4 06.03.2014 Xerox copy of aadhaar card of the petitioner. (Compared with original)
- Ex.P5 28.01.2019 Xerox copy of aadhaar card of the respondent.

PDJ

Draft / Fair Order in
IDOP No. 190/2025
PDC, Thanjavur
Dated: 23.03.2026.