

TNTP010018092026



**IN THE COURT OF THE II ADDITIONAL DISTRICT AND SESSIONS
JUDGE, TIRUCHIRAPPALLI**

Present: Thiru. S. Gopinathan, B.Sc., B.L.,
II Additional District Judge,
Tiruchirappalli.

Friday, the 05th day of June, 2026

Indian Divorce Original Petition No.77/2026

(CNR No. TNTP01-001809-2026)

B. Fathima Mary D/o Balasundarraaj

... Petitioner

/Vs/

A. Maria Ignatius Trinidad S/o Anthonisamy

... Respondent

This petition having come up for final hearing before me on 05.06.2026, in the presence of Thiru.S. Vijayan, learned counsel appearing for the petitioner, and Thiru. V. Varadarajan, learned counsel appearing for the respondent, and upon perusal of the petition, counter statement and the records available on file, and upon hearing the arguments advanced on behalf of the petitioner, this Court delivered the following:

ORDER

This petition has been filed by the petitioner under Section 10(1)(x) of the Indian Divorce Act, seeking dissolution of the marriage solemnized between the petitioner and the respondent on 12.05.2019 and for the grant of a decree of divorce.

2. Brief Averments of the Petitioner's Case:

2.1) The case of the petitioner is that the marriage between the petitioner and the respondent was solemnized on 12.05.2019 in accordance with Christian rites and customs at the Holy Lourdes Matha Church situated within St. Joseph's College Campus, Tiruchirappalli, following the Roman Catholic Christian tradition. After the marriage, the petitioner and the respondent lived together as members of a joint family in the respondent's house. According to the petitioner, it subsequently came to her knowledge that the respondent belonged to the Pentecostal denomination, which gave rise to differences of opinion between them from the very beginning of their matrimonial life. The petitioner further alleges that during the subsistence of the marriage, she found that the respondent had no interest in maintaining marital relations. In this regard, when the respondent underwent treatment at TMCH Hospital, a semen analysis was conducted, which reportedly revealed that the sperm count was less than 100 cells.

2.2) It is further stated that the respondent thereafter consulted several hospitals and underwent medical examinations. Following such examinations, the

doctors reportedly informed him that natural conception was not possible and advised him to undergo treatment through Assisted Reproductive Techniques (ART). The petitioner further contends that, owing to the respondent's health condition and financial constraints, he gradually and completely avoided cohabitation and the discharge of his matrimonial obligations. As a result, the respondent allegedly withdrew from the matrimonial relationship on 02.11.2025. Consequently, the petitioner was left with no alternative but to reside in her parental home. On the above averments, the petitioner has filed the present petition under Section 10(1)(x) of the Indian Divorce Act, seeking dissolution of the marriage solemnized between the petitioner and the respondent on 12.05.2019 and the grant of a decree of divorce.

3. Brief Summary of the Respondent's Counter Statement:

3.1) The respondent has denied all the allegations made in the petition and contended that they are false and baseless. According to the respondent, the allegation that he was unwilling to live with the petitioner as husband and wife and that natural conception was not possible is wholly untrue. The respondent further contends that the medical opinion relied upon by the petitioner is incorrect and has been obtained with a view to recommending expensive artificial reproductive procedures. According to him, the doctors advised Assisted Reproductive Techniques (ART) only with the intention of extracting substantial amounts of money from the parties and, therefore, the medical opinion cannot be relied upon.

3.2) The respondent has further contended that it was the petitioner who was frequently suffering from mental health issues and that, on account of the same, she was unable to effectively participate in matrimonial life. According to the respondent, in order to conceal her own condition, the petitioner has falsely alleged that the respondent and his family members subjected her to physical and mental cruelty. The respondent has also denied the allegation that he withdrew from the matrimonial relationship and contended that such allegations are merely a concocted story invented by the petitioner. It is further stated that the petitioner had been undergoing medical treatment on several occasions for her mental health condition and that, in order to prevent the same from becoming known to others, she has levelled various false allegations against the respondent and instituted the present petition seeking divorce. On the above grounds, the respondent has prayed for dismissal of the petition as not maintainable and devoid of merits.

4) The point for determination is whether the petitioner is entitled to the relief of divorce as prayed for ?

5) On the side of the petitioner, the original marriage invitation dated 12.05.2019 was marked as Ex.P1; the original marriage photograph was marked as Ex.P2; the original Marriage Registration Certificate dated 18.09.2019 was marked as Ex.P3; the office copy of the legal notice dated 30.12.2025 was marked as Ex.P4; the original postal acknowledgment card was marked as Ex.P5; and the copy of the

petitioner's Aadhaar Card was marked as Ex.P6. On the side of the respondent, the copy of the respondent's Aadhaar Identity Card was marked as Ex.R1.

6) In the present case, the fact that the petitioner and the respondent are husband and wife is not in dispute. It is also an admitted fact that they have been living separately for the past one year. Though the marriage was solemnized in the year 2019, no child has been born to them till date. From the evidence of the respondent, it is seen that both parties had undergone medical treatment in connection with their inability to conceive a child. It is further evident that the parties have separately taken possession of their respective household articles. A careful consideration of the evidence adduced by both sides indicates that the absence of a child has been the primary cause for the unhappiness and eventual separation of the parties.

7) During the course of arguments, it was contended on behalf of the respondent that the physical ailment suffered by him could be cured through appropriate medical treatment. However, this Court is of the considered view that, after the lapse of nearly seven years from the date of marriage, no useful purpose would be served by requiring the petitioner to continue waiting indefinitely in the hope of a possible reconciliation or improvement in circumstances.

8) During the course of arguments, the petitioner submitted that she had removed the gold thali chain weighing 6.45 sovereigns, which had been presented by

the respondent at the time of marriage. It is also placed on record that when the petitioner attempted to hand over the said thali chain to the respondent in open Court, the respondent declined to receive the same. The materials available on record further disclose that both parties have suffered considerable mental and emotional distress and have been adversely affected by the matrimonial discord.

9) It was further submitted on behalf of the petitioner that she is prepared to move on with her life, including entering into another marriage, and that she proposes to take up employment as a College Lecturer at Nagercoil. From the overall facts and circumstances of the case, this Court is satisfied that the marital relationship between the parties has broken down beyond repair and that there remains no possibility of restoring a harmonious matrimonial life. The continuance of such a broken marital tie would only prolong the suffering of both parties. Therefore, this Court is of the view that it would neither be conducive to their physical well-being nor to their mental and emotional welfare for them to continue the marital relationship

Finally,

This Court holds that the petitioner has successfully proved her case under Section 10(1)(x) of the Indian Divorce Act and has established her entitlement to the relief sought for. Accordingly, the marriage solemnized between the petitioner and the respondent on 12.05.2019 is hereby dissolved, and a decree of divorce is granted in favour of the petitioner. The petition is accordingly allowed.

The concerned authority shall make the necessary entries in the Marriage Register in accordance with law consequent upon the decree of divorce. There shall be no order as to costs.

This judgment was dictated by me to the stenographer, transcribed by him, thereafter corrected and verified by me, and pronounced by me in open Court on this the **05th day of June, 2026**.

**II Additional District and Sessions Judge,
Tiruchirapalli
Date: 05.06.2026**

Witness Examined on the Side of the Petitioner:

P.W.1 – B. Fathima Mary

Documents Marked on the Side of the Petitioner:

Exhibit No.	Date	Description of Document
Ex.P1	12.05.2019	Original Marriage Invitation
Ex.P2	-	Marriage Photograph
Ex.P3	18.09.2019	Original Marriage Registration Certificate
Ex.P4	30.12.2025	Office Copy of Legal Notice
Ex.P5	-	Original Postal Acknowledgment Card
Ex.P6	27.09.2013	Copy of the Petitioner's Aadhaar Identity Card

Witness Examined on the Side of the Respondent:

R.W.1 – A. Maria Ignatius Trinidad

Document Marked on the Side of the Respondent:

Exhibit No.	Date	Description of Document
Ex.R1	28.03.2015	Copy of the Respondent's Aadhaar Identity Card

**II Additional District and Sessions Judge,
Tiruchirapalli
Date: 05.06.2026**