

IN THE COURT OF THE FAMILY COURT CUM IX ADDITIONAL DISTRICT
AND SESSIONS COURT: EAST GODAVARI; RAJAMAHENDRAVARAM.

Present: Smt. G.Malathi, Judge,
Family Court-cum- IX Additional District and Sessions Court,
Rajamahendravaram.

Wednesday, the 03rd day of January, 2018.

F.C.O.P.No.12 /2017

Between:

Peruri Levin Alice Ratnakar, S/o.Mary Kumar(late), Adiandhra, Christian,
aged 28, Trivedi Street, D.No.2-36-11, Alcot Gardens,
Rajamahendravaram

....Petitioner

AND

Pilli Srujana, W/o.Peruri Levin Alice Ratnakar, D/o.Pilli
Govindarajulu(late), Hindu, aged 26 years, Chemistry
Teacher, Sri Chaitanya Techno School, Morampudi,
Rajamahendravaram Rural

....Respondent

This petition coming up before me, on 19.12.2017, for final hearing in the presence of Sri K.V.S. Suryanarayana, advocate for the petitioner, and the respondent remained set exparte, and the matter having stood over for consideration till this day, this court delivered the following:

O R D E R

This is a petition filed by the petitioner-husband under Section 13(1)(ia) of Hindu Marriage Act, against the respondent-wife for dissolution of their marriage dated 25.10.2012 by way of decree of divorce.

2. The brief averments mentioned in the petition are that, the marriage between the petitioner and respondent was performed on 25.10.2012 at Sri Satyanarayana Swamy Temple, Aryapuram, Rajahmudry, as per Hindu rites and caste customs, and their marriage is a love marriage, as such, no dowry or gifts were presented by the parents of the petitioner. Immediately the marriage was consummated. There is a change in the behaviour of the respondent, after 3 days of the marriage, at the instance of her mother, and started harassing he petitioner for luxury home needs. The petitioner used to work as sales boy in Lee Cloth

Shop by the date of marriage and used to earn Rs.8,000/- per month, which is not sufficient to meet the luxurious desires of the respondent. However, the petitioner with the assistance of his friends obtained hand loans and provided everything to the respondent as per her wish, but the respondent further harassed the petitioner for purchase of gold and silver ornaments for her. The respondent demanded the petitioner to earn minimum Rs.25,000/- per month which is not possible for the petitioner. The respondent did not accept to give birth to children. The mother of the petitioner fell ill due to the disputes in between them and died on 14.01.2015. While so, the respondent developed illegal intimacy with one Vijay, who is running a cell shop adjacent to the house of the petitioner, and the respondent went to the extent of living with the said Vijay in his house. As the petitioner questioned the respondent about her illegal intimacy with the said Vijay, the respondent beat the petitioner and necked him out, and the respondent living adulterous life with the said Vijay at Morampudi. Hence the petition.

3. Though the respondent engaged an advocate, failed to file her counter inspite of granting sufficient time, as such, she is set exparte.

4. To prove the case, the petitioner examined himself as PW.1 and got marked Exs.P1 to P4.

5. Heard the petitioner.

6. Now the point for consideration is whether the petitioner-husband is entitled for decree of divorce against the respondent-wife dissolving their marriage dated 25.10.2012?

POINT:

7. To prove the case, the petitioner-husband examined himself as PW.1. In the affidavit filed in lieu of examination in chief, the petitioner

reiterated all the averments mentioned in the petition and got marked Ex.P1 Wedding card, Ex.P2 marriage photo, Ex.P3 copy of Aadhar card and Ex.P4 Marriage certificate.

8. There is nothing on record to disbelieve the contents in the evidence affidavit of PW.1 and Exs.P1 to P4, as the chief affidavit filed by the PW.1 is remained unchallenged and unrebutted. The evidence adduced by the petitioner-husband clearly established that, the respondent-wife harassed the petitioner and ultimately deserted him, as such, the petitioner-husband is entitled for decree for divorce by dissolving the marriage dated 25.10.2012 between the petitioner and respondent, accordingly the point is answered.

9. In the result, the petition is allowed. The marriage dated 25.10.2012 between the petitioner and respondent is hereby dissolved by way of granting divorce. No costs.

Typed to my dictation by the stenographer, corrected and pronounced by me in the open court, this the 03rd day of January, 2018.

Sd/-G.Malathi,
JUDGE
Family Court cum IX Addl.
District Court, Rajamahendravaram.

APPENDIX OF EVIDENCE WITNESSES EXAMINED

For petitioner:

PW.1: P.Levin Alice Ratnakar

For respondent: None

DOCUMENTS MARKED

For petitioner:

Ex.P1 is the Wedding card

Ex.P2 is the Marriage photo

Ex.P3 is the copy of Aadhar card

Ex.P4 is the Marriage certificate

For respondent: Nil.

Ild/-G.M.T.
JUDGE.

/t.c.f.b.o./

Chief Administrative Officer.

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Govindarajulu(late), Hindu, aged 26 years, Chemistry
Teacher, Sri Chaitanya Techno School, Morampudi, Rajamahendravaram
Rural

....Respondent

This is a petition filed by the petitioner-wife under Section 13(1)(ia) of Hindu Marriage Act against the respondent-husband for dissolution of their marriage dated 25.10.2012 by way of decree of divorce.

A Court Fee of Rs.10/- is paid as per APCF & SV Act.

Cause of action for the petition arose on 25.10.2012 when the marriage between the petitioner and respondent was performed etc. and when the respondent harassed the petitioner-husband and necked him out by leading adulterous life with one Vijay etc. and at Rajamahendravaram whereat both the parties are residing within the jurisdiction of this Hon'ble Court.

This petition coming up before me, on 19.12.2017, for final hearing in the presence of Sri K.V.S. Suryanarayana, advocate for the petitioner, and the respondent remained set exparte, and the matter having stood over for consideration till this day, this court doth order and decree as follows;

- (1) that the marriage dated 25.10.2012 between the petitioner and respondent be and is hereby dissolved by granting divorce,
- (2) that each party do bear its own costs.

Given under my hand and the seal of this court, this the 03rd day of January, 2018.

JUDGE
Family Court cum IX Addl.
District Court, Rajamahendravaram.

No memo of costs is filed on either side.

JUDGE.