

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.6280 OF 2009

O. K. RADHAKRISHNAN

Appellant(s)

VERSUS

V. GEETHA

Respondent(s)

O R D E R

We have heard learned counsel for the parties. It cannot be seriously disputed before us that there is an irretrievable break down of marriage with the passage of time.

The High Court in its Judgment granted a decree of divorce on account of irretrievable breakdown of marriage. This ground was not available to the High Court and that is the reason the present appeal was entertained.

It is not as if the relationship *inter se* the parties has improved during this long passage of time.

In view of the facts set out in the impugned judgment and the absence of any

reconciliation even thereafter, we are of the view that it is a fit case where this Court should grant a decree of divorce between the parties on the ground of irretrievable breakdown of marriage exercising our jurisdiction under Article 142 of the Constitution of India.

Ordered accordingly.

We are informed that there are no other *inter se* litigation between the parties and child was with the mother who has now a grown up adult of 24 years.

The Civil Appeal accordingly stands disposed of.

.....J.
(SANJAY KISHAN KAUL)

.....J.
(K.M. JOSEPH)

NEW DELHI
JULY 10, 2019

ITEM NO.108

COURT NO.14

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SCIVIL APPEAL No.6280 OF 2009

O. K. RADHAKRISHNAN

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VERSUS

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Date : 10-07-2019 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE K.M. JOSEPH

For Appellant(s) Mr. K. Rajeev, AOR

For Respondent(s) Mr. A. Karthik, Adv.
Mr. Sajith. P, AOR
Mr. Badusha S., Adv.UPON hearing the counsel the Court made the following
O R D E R

The appeal is disposed of in terms of the signed order.

Pending application, if any, shall also stand disposed of.

(POOJA ARORA)
COURT MASTER(ANITA RANI AHUJA)
COURT MASTER

(Signed order is placed on the file)