

IN THE COURT OF THE SENIOR CIVIL JUDGE ; ATMAKUR.

**PRESENT: Sri E.Rajendra Babu,
Senior Civil Judge, Atmakur**

Friday, the 1st day of February, 2019.

H.M.O.P.No.1/2019

1. Betham Swamy Reddy, son of G.Nagi Reddy, 26 years, Hindu, Agirculturist, resident of Vadlaramapuram Village, Atmakur Mandal, Kurnool District.	... Petitioners
2. Vemula Bharathi, wife of Betham Swamy Reddy, 19 years, Hindu, Housewife, presently resident of Vempenta Village, Pamulapadu Mandal, Kurnool District.	
VERSUS	
Nil.	... Respondent

This suit has been coming on 31.01.2019 for final hearing before me in the presence of Sri.K.Keshava Reddy, Sri.P.V.Narasimhudu, Advocates for the petitioners, and upon hearing the learned counsel for petitioners; this court made the following:

J U D G M E N T

1. This petition is filed by both the petitioners i.e., husband and wife under Sec.13(B) of Hindu Marriage Act seeking divorce by mutual consent.

2. Averments of petition, in brief, are as follows:-

Petitioner No.1 is the husband of Petitioner No.2 and their marriage was solemnized on 3.3.2018 at Sri Bhramarambha Mallikarjuna Swamy Temple, SRBC Colony, Karivena village, Atmakur Mandal, Kurnool District as per Hindu Rites and Customs. They lived happily for about 15 days after their marriage i.e., on 18.3.2018, but thereafter serious disputes and differences arose between them. As a result, they began living separately from 18.3.2018 till this day. This have not been able to live together and there is no possibility of any reconciliation or re-union between them. It is therefore agreed between

the petitioners that their marriage should be got dissolved through court of law on mutual consent. It is therefore necessary in the interest of both the parties that the marriage between them be dissolved by way of decree divorce. So that they may be able to lead their lives independently and remarry if they so desire. There is no collusion between the parties in filing this petition. Hence, the petition.

3. On enquiry, both the petitioners submitted that they have filed this petition in order to get divorce and there is no chance of reunion between them.

4. During enquiry the petitioner No.1 was examined as PW1 and petitioner No.2 was examined as PW2 and got marked Exs.P1 & P2 through PW1.

5. Heard the learned counsel for the petitioners.

6. Now the point for consideration is whether the petitioners 1 and 2 are entitled for dissolution of their marriage by way of decree of divorce by mutual consent?

7. POINT:-

Both the petitioners 1 and 2 have filed chief affidavits in the same lines in support of their contentions laid down in their petition.

The averments of chief affidavits of PWs.1 & 2 together with the averments present in their petition clearly show that their marriage was solemnized on 3.3.2018 at Sri Bhramarambha Mallikarjuna Swamy Temple, SRBC Colony, Karivena village, Atmakur Mandal, Kurnool District as per Hindu Rites and Customs. They lived happily for about 15 days after their marriage i.e., on 18.3.2018, but thereafter serious disputes and differences arose between them. As a result, they began living separately from 18.3.2018 till this day. Thus they have not been able to

live together and there is no possibility of any reconciliation or re-union between them. In support of their case, the petitioners produced Ex.P1 is the Marriage Wedding Cards and Ex.P2 is the photographs of their marriage. Thus, the marriage between the petitioners 1 and 2 has stood proved. As the material on record clearly shows that there is no chance of reunion between the parties, the Court is of the considered view that there is no chance of reunion between the parties in amicable atmosphere. Hence, I am of the considered view that it is just and proper to accept their request to dissolve their marriage by mutual consent. Accordingly, the point is answered in favour of the petitioners.

8. In the result, the petition is allowed without costs dissolving the marriage dated 3.3.2018 between the petitioners 1 and 2 by way of granting the decree of divorce by mutual consent.

Typed to my dictation by the Stenographer, corrected and pronounced by me in open court on this the 1st day of February, 2019.

**Senior Civil Judge,
Atmakur**

APPENDIX OF EVIDENCE
(Witnesses examined)

For petitioners:

PW1: Betham Swamy Reddy.
PW2: Vemula Bharathi.

For respondent:

Nil.

EXHIBITS MARKED

For petitioners:

Ex.P.1: Wedding Cards of petitioners.
Ex.P.2: Marriage photographs of the petitioners.

For respondent:

Nil

Judge,

Senior Civil

Atmakur

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IN THE COURT OF THE SENIOR CIVIL JUDGE ; ATMAKUR.

PRESENT: Sri S.China Babu, Senior Civil Judge, Atmakur

Thursday, the 10th day of August, 2017

Original suit No.31/2017

Between:

Donthu Naresh, son of late D.Sree Ramulu, aged about 36 years, Business, Nethaji Nagar, Opp.Government Junior College, resident of Atmakur town and Mandal, Kurnool District. **.. Plaintiff**

And

Adivappagari Ajay Babu, son of A.Govinda Rajulu, aged about 45 years, Buisness, H.No.16/36/1, Kishan Singh Veedhi, near Old Dr.Sunkanna Clinic, Santha Market Road, Atmakur town and Mandal, Kurnool District. **... ..Defendant**

dant

This is a suit filed for recovery of Rs.5,54,500/- being the principal and interest due on a pronote dated 07.06.2014 executed by the defendant in favour of the plaintiff for Rs.3,00,000/- and agreeing to repay the same with interest at 24% p.a. In spite of repeated oral including issuance of legal notice, dt.26.04.2017, the defendant failed to repay the amount to the plaintiff interest is claimed at contract rate as the defendant is not an agriculturist and for costs of the suit.

Plaint presented on 05.06.2017 and filed on 05.06.2017. J.V. of Rs.5,15,430/- and a Court fee of Rs.7,626/- is paid under Section 20 of APCF and SV Act.

This suit has been coming on 08.08.2017 for final hearing before me in the presence of Sri M.Murali Mohan, Advocate for the plaintiff and Defendant having remained set exparte, and hearing the counsel for plaintiff; this court delivered the following:

- (1) That the defendant do pay to the plaintiff a sum of Rs.5,15,430/- with subsequent interest at 12% p.a. from the date of suit till the date of decree and at 6% p.a. from the date of decree till the date of realization on principal amount of Rs.3,00,000/-; and
- (2) That the defendant do also pay to the plaintiff a sum of Rs.17,821/- towards costs of the suit.

Given under my hand and the seal of this Court, this the 10st day of August, 2017.

Senior Civil Judge,

Atmakur.

MEMO OF COSTS.

		<u>For Plaintiff</u> <u>Rs.</u>	<u>For Defendant</u> <u>Rs.</u>
1.	Stamp on Plaint	8,226.00	-
2.	Stamp on Vakalat	02-00	Exparte
3.	Stamp on petition	10.00	
3.	Stamp on Process	65-00	-
4.	Advocate Fee	9,318.00	-
5.	Type Charges	100.00	-
6.	Writing charges	100.00	-
	Total	17,821.00	

**Senior Civil Judge,
Atmakur.**