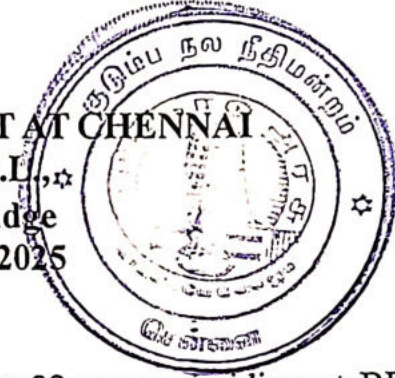


IN THE V ADDITIONAL FAMILY COURT AT CHENNAI

Present: Tmt. S. Kanchana, M.L.,
V Additional Principal Judge

Thursday, the 3rd day of April 2025

O.P.No.718/2025



1. D. Prashanth, S/o. Dhanasekaran.P, Hindu, aged about 32 years, residing at BF4, Journalists Colony, Srinivasapuram, Thiruvanmiyur, Chennai- 600 041.

... 1st Petitioner

2. Monisha, D/o. John Varghese, Christian, aged about 32, residing at No.91, Thiruvalluvar Nagar, 3rd Cross Street, Besant Nagar, Chennai-600 090.

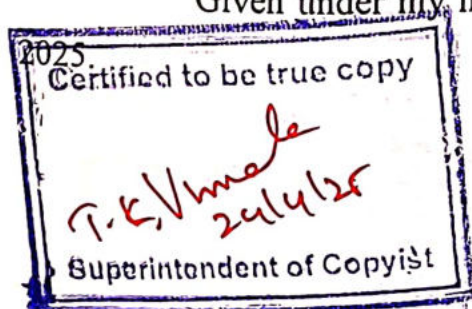
... 2nd Petitioner

This petition has been filed by the petitioners for passing a decree of consent divorce under section 28 of Special Marriage Act, for dissolving the marriage between the petitioners which was solemnized on 27.01.2019 at San Event Hall, 4th Cross Street, Lakshmana Perumal Street, Kottivakkam, Chennai- 600 041, as per Hindu rites and customs and on the same day at Anna Velankanni Shrine Besant Nagar, Chennai, as per Christian rites and customs and registered in the office of the Sub-Registrar, Adyar, vide Sl.No.TMR/Adyar/6/2019, dated 06.02.2019.

This petition came up on 01.04.2025 for final hearing before me in the presence of the petitioners and upon perusing the material records, evidence and on hearing the petitioners, this court doth order and decree as follows:

1. that this petition be and the same is hereby allowed.
2. that the marriage between the petitioners which was solemnized on 27.01.2019 at San Event Hall, 4th Cross Street, Lakshmana Perumal Street, Kottivakkam, Chennai- 600 041, as per Hindu rites and customs and also at Anna Velankanni Shrine Besant Nagar, Chennai, as per Christian rites and customs and registered in the office of the Sub-Registrar, Adyar, vide Sl.No.TMR/Adyar/6/2019, dated 06.02.2019, is dissolved by mutual consent as per section 28 of Special Marriage Act and the decree of divorce is granted.
3. that there be no costs.

Given under my hand and the seal of this court, this the 3rd day of April



S. Kanchana
V ADDITIONAL PRINCIPAL JUDGE
V ADDITIONAL FAMILY COURT

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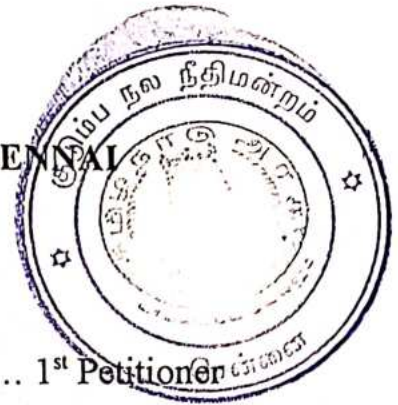
FAMILY COURT CHENNAI

C.A. No. 4137/25 20
O.P. No. 718/25 20
Application made on 7/4/25 20
Stamps called for on 19/4/25 20
Stamp papers
deposited on 19/4/25 30
Addl. stamps
called for on — 20
Addl. stamp papers
deposited on — 20
Copy made ready on 24/4/25 20
Copy Delivered on 29/4/25 20

A
29/4/25
Superintendent.

1
IN THE V ADDITIONAL FAMILY COURT AT CHENNAI

Present: Tmt. S. Kanchana, M.L.,
V Additional Principal Judge
Thursday, the 3rd day of April 2025
O.P.No.718/2025



1. D. Prashanth
2. Monisha

... 1st Petitioner

... 2nd Petitioner

This petition came up on 01.04.2025 for final hearing before me in the presence of the petitioners and upon perusing the material records, evidence and on hearing the petitioners, this court delivered the following:


ORDER

1. This petition has been filed by the petitioners for passing a decree of consent divorce under section 28 of Special Marriage Act, for dissolving the marriage between the petitioners which was solemnized on 27.01.2019 at San Event Hall, 4th Cross Street, Lakshmana Perumal Street, Kottivakkam, Chennai- 600 041, as per Hindu rites and customs and on the same day at Anna Velankanni Shrine Besant Nagar, Chennai, as per Christian rites and customs and registered in the office of the Sub-Registrar, Adyar, vide Sl.No.TMR/Adyar/6/2019, dated 06.02.2019.

2. THE AVERMENTS IN THE PETITION ARE AS FOLLOWS :

The marriage between the first petitioner and the second petitioner was solemnized on 27.01.2019 at San Event Hall, 4th Cross Street, Lakshmana Perumal Street, Kottivakkam, Chennai- 600 041, as per Hindu rites and customs and on the same day i.e. on 27.01.2019 at Anna Velankanni Shrine Besant Nagar, Chennai, as per Christian rites and customs and it was registered in the office of the Sub-Registrar, Adyar, vide Sl.No.TMR/Adyar/6/2019, dated 06.02.2019. Out of the wedlock, they have no issues. Right from the inception of marriage, there was a differences of opinion between the petitioners and that it is impossible for them to live together. Both side family members have tried all means of reconciliation and made numerous efforts to join with them but ended in vain. There are no chances for reconciliation due to the

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incompatibility between the petitioners, so they are living separately from 28.08.2022. Hence they have come for dissolution of the marriage by mutual consent. Both the petitioners waived all their rights for maintenance, permanent alimony, properties and assets against each other for the past, present and future. The 1st petitioner agreed to pay a sum of Rs.5,00,000/- towards permanent alimony to the 2nd petitioner. They have exchanged all their articles between themselves and there is no exchange of articles pending between them. They relinquished all their rights for maintenance and permanent alimony between the petitioners. The consent for mutual divorce has not been obtained by fraud, coercion, force or undue influence. Hence, this petition is filed seeking divorce by mutual consent.

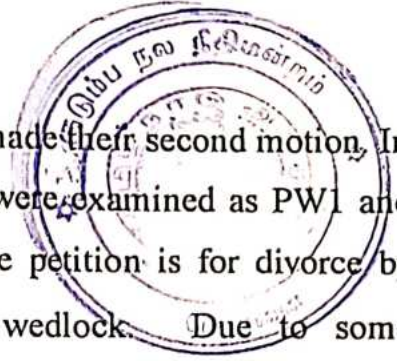
3. The petitioners were examined as PW.1 and PW.2 and Ex.P.1 to Ex.P8 were marked. The petitioners were heard on the point of reconsideration for which the petitioners reiterated their same stand.

4. Now the point for consideration is that whether the petitioners are entitled for divorce by mutual consent ?

Answer for Point:

5. This petition was presented in this court on 13.02.2025 under section 28 of Special Marriage Act. The petition was adjourned to 14.08.2025 enabling the petitioners to undergo 6 months statutory waiting period as it is required under law. In the meantime both the petitioners appeared on 20.03.2025 along with the petition to advance the hearing as well as the waiver petition. The petition to advance the hearing from 13.02.2025 to 20.03.2025 was allowed on 20.03.2025. Both attended counselling and they could not settle their issues and could not reunite. Hence, following the principles laid down by the Hon'ble Supreme Court of India in Amar Deep Singh Vs. Harveen Kaur, this Court was inclined to allow the waiver petition and the rest of the waiting period out of six months was also waived off. The petitioners have consented for divorce and reiterated their stand for divorce.


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6. Both the petitioners presented on 01.04.2025 and made their second motion. In support of their second motion the 1st and 2nd petitioners were examined as PW1 and PW2 respectively and Ex.P.1 to Ex.P.8 were marked. The petition is for divorce by mutual consent. They have no issues out of the wedlock. Due to some misunderstandings arose between them, they are unable to live together, so they are living separately from 28.08.2022. Both the petitioners waived all their rights for maintenance, permanent alimony, properties and assets against each other for the past, present and future. The 1st petitioner paid a sum of Rs.5,00,000/- towards permanent alimony to the 2nd petitioner through RTGS and the 2nd petitioner has received the same. They have exchanged all their articles between themselves and there is no exchange of articles pending between them. They relinquished all their rights for maintenance and permanent alimony between the petitioners. There is no meeting of minds between the parties and there is no scope for reunion. Hence, this court arrives at a conclusion that the grant of divorce by mutual consent would meet the ends of justice and this point is answered accordingly.

7. In the result, this petition is allowed and the marriage between the petitioners which was solemnized on 27.01.2019 at San Event Hall, 4th Cross Street, Lakshmana Perumal Street, Kottivakkam, Chennai- 600 041, as per Hindu rites and customs and also at Anna Velankanni Shrine Besant Nagar, Chennai, as per Christian rites and customs and registered in the office of the Sub-Registrar, Adyar, vide Sl.No.TMR/Adyar/6/2019, dated 06.02.2019, is dissolved by mutual consent as per section 28 of Special Marriage Act and the decree of divorce is granted. No costs.

Directly dictated to my steno typist and typed by her in the computer directly to my dictation, corrected and pronounced by me in the Open Court, on 3rd day of April 2025.

S. [Signature]

V ADDITIONAL PRINCIPAL JUDGE
V ADDITIONAL FAMILY COURT

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List of Witnesses examined on the side of the petitioners :

P.W.1 - D. Prashanth
P.W.2 - Monisha

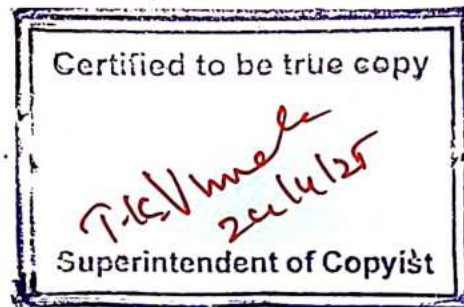
List of Exhibits marked on the side of the petitioners :

Ex.P.1 - Marriage Invitation
Ex.P.2 - Marriage Photo
Ex.P.3 - Marriage Photo
Ex.P.4 - Copy of Marriage Registration Certificate
Ex.P.5 - Church Certificate
Ex.P.6 - Copy of Marriage Registration Certificate under Special Marriage Act.
Ex.P.7 - Copy of Aadhar Card of the 1st petitioner
Ex.P.8 - Copy of Aadhar Card of the 2nd petitioner



S. Prakash

V ADDITIONAL PRINCIPAL JUDGE
V ADDITIONAL FAMILY COURT



Draft/fair order in
O.P.No.718/2025
Date:03.04.2025
V Additional Family Court

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FAMILY COURT CHENNAI

C.A. No. 4137/2520

O.P. No. 718/2520

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Copy Delivered on 29/4/2520

A
 29/4/25
 Superintendent.