



IN THE VII ADDITIONAL PRINCIPAL FAMILY COURT AT CHENNAI

Thiru. G. Vijayakumar, B.Sc., L.L.M.,

VII Additional Principal Judge

VII Additional Family Court

Thursday, the 23rd day of January 2025

O.P.No. 5102/2024

1. Vishnoo Anand, S/o K.V.S. Anand, Hindu, aged about 36 years, residing at MIG - 13, Flot No.10, TNHB, 3rd Floor, Uthandi, Kancheepuram, Tamil Nadu – 600 119.
2. Divya Ravishankar, D/o Ravi Shankar, Hindu, aged about 35 years, residing at No.1/19 I, Near Annai Kalyana Mandapam, Bharathipuram, Dharmapuri – 636 705.

... Petitioners

DECREE

This petition has been filed by the petitioners for passing a decree of consent divorce under section 13-B of Hindu Marriage Act, 1955 for dissolving the marriage between the petitioners solemnized on 02.05.2016 at Janaki Krishna Hall, New Woodlands Hotel, No.72-75, Dr. Radhakrishnan Road, Mylapore, Chennai – 600 004.

This petition came up on 07.01.2025 before me for final hearing, in the presence of the petitioners and upon hearing both parties and on perusing the petition and other connected material papers on record and this petition having stood over for consideration till this date, this court, doth order and decree as follows:

1. that this petition be and the same is hereby allowed.

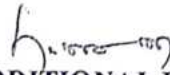
2. that the marriage between the petitioners which was solemnized on 02.05.2016 at Janaki Krishna Hall, New Woodlands Hotel, No.72-75, Dr.

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Radhakrishnan Road, Mylapore, Chennai – 600 004 is dissolved by mutual consent 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 23rd day of January 2025.


VII ADDITIONAL PRINCIPAL JUDGE



Decree in

H.M.O.P.No.5102 /2024

Date: 23/01/2025


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FAMILY COURT CHIEF CLERK

C.A. No. 3648/25 22
 O.P. No. 5102/24 23
 Application made on 27/3/25 22
 Stamps called for on 5/4/25 22
 Stamp papers deposited on 7/4/25 22
 Addl. stamps called for on — 22
 Addl. stamp papers deposited on 15/4/25 22
 Copy made Ready on 5/2/25 22
 Copy Delivered on 5/2/25 22

Superintendent



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Thiru. G. Vijayakumar, B.Sc., L.L.M.,

VII Additional Principal Judge

VII Additional Family Court

Thursday, the 23rd day of January 2025

O.P.No. 5102/2024

1. Vishnoo Anand
2. Divya Ravishankar

... Petitioners

This petition came up on 07.01.2025 before me for final hearing, in the presence of the petitioners and upon hearing both parties and on perusing the petition and other connected material papers on record and this petition having stood over for consideration till this date, this court delivered the following:

ORDER

1. This petition has been filed by the petitioners for passing a decree of consent divorce under section 13-B of Hindu Marriage Act, 1955 for dissolving the marriage between the petitioners solemnized on 02.05.2016 at Janaki Krishna Hall, New Woodlands Hotel, No.72-75, Dr. Radhakrishnan Road, Mylapore, Chennai – 600 004.


2. THE AVERMENTS IN THE PETITION ARE AS FOLLOWS :-

The marriage between the first and second petitioners was solemnized on 02.05.2016 at Janaki Krishna Hall, New Woodlands Hotel, No.72-75, Dr. Radhakrishnan Road, Mylapore, Chennai – 600 004 as per the Hindu Rites and Customs and the same was registered on 28.07.2016 as S.No.675/2016 before the Registrar, Mylapore. Out of the wed-lock, one female child namely Amaika Vishnoo

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was born to them. After marriage, they started their matrimonial life at the residence of 1st petitioner. Due to misunderstanding, they were living separately from 05.05.2022 onwards. The efforts taken by both sides to continue the marital relationship were failed. There is no possibility for them to live together as husband and wife in future. The matrimonial life has resulted in failure and there is no possibility of reunion. The 2nd petitioner withdrew the EP in MC.No.418/2022 filed by her. The 1st petitioner paid a sum of Rs 38,00,000/- (Rupees Thirty Eight Lakhs only) towards permanent alimony as full and final settlement and the 2nd petitioner also acknowledged the same. The 1st petitioner executed a release deed in respect of the property situated at Adhiyaman kottai Panchayat Union in Nallampalli Village extending 1514.75 Sq.ft vide Document No.1241 of 2022 in favor of the 2nd petitioner. The 1st petitioner undertakes to take child insurance plan namely AMAIKA VISHNOO and the whole original documents related to the child insurance plan will be handed over to the 2nd petitioner. The 1st petitioner shall take a SMART WEALTH goal insurance plan in the name of their daughter from Bajaj Allianz and shall pay a sum of Rs 1,00,000/- or the amount prescribed as per the plan for a period of 10 years. The 2nd petitioner shall be appointed as the natural and legal guardian of their child namely Amaika Vishnool and also have permanent custody of their child and the 1st petitioner waives his right towards visitation of their child. Both the Petitioners have no other claim or right in future and waive off their right to claim maintenance and alimony. Both the petitioners confirm that either


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of them will not interfere in the life of the other and the petitioners have exchanged all their articles and there is no claims against each other. Both the petitioners have decided to dissolve their marriage amicably by mutual consent. No similar case is pending before any other court. The consent for mutual divorce has not been obtained by means of threat or coercion or force. Both parties have filed this petition together mutually agreeing that the marriage should be dissolved. Hence this petition for divorce by mutual consent.

3. The petitioners were examined as PW.1 and PW.2 and Ex.P.1 to Ex.P.5 were marked. The petitioners were heard.

4. Point for consideration:


Whether the petitioners are entitled for divorce by mutual consent ?

Answer for the Point:

5. This petition was presented on 18.11.2024 under 13-B of Hindu Marriage Act. The petition was adjourned to 19.05.2025 enabling the petitioners to undergo 6 months statutory waiting period as it is required under law.

6. In the meantime both the petitioners appeared before this court on 13.12.2024 along with a petition to advance the hearing along with waiver petition. The petition to advance the hearing from 19.05.2025 was allowed on 13.12.2024 and the case was taken up for hearing. They have stated that all the steps taken for reunion were failed. Hence, following the principles laid down by the Hon'ble Supreme Court of India in Amar Deep Singh Vs. Harveen Kaur, this Court was


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inclined to allow the waiver petition and the rest of the waiting period out of six months was waived off. The petitioners have consented for divorce and reiterated their stand for divorce.

7. 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.5 were marked. The parties reiterated their stand for divorce on their own volition.

8. In order to prove their marriage, Ex.P.2/ Marriage Invitation and Ex.P.3/ Marriage Photograph were filed, which prove their marriage.

9. The petitioners have stated that they decided to dissolve their marriage amicably by mutual consent and the efforts taken by both sides to continue the marital relationship were failed and there is no possibility to live together as husband and wife in future and the matrimonial life has resulted in failure and there is no possibility of reunion. They have stated that the 1st petitioner paid a sum of Rs.38,00,000/- (Rupees Thirty Eight Lakhs only) towards permanent alimony and as full and final settlement and the 2nd petitioner also acknowledged the same. The 1st petitioner executed a release deed in favor of the 2nd petitioner in respect of the property situated at Adhiyaman kottai Panchayat Union in Nallampalli Village extending 1514.75 Sq.ft and the 1st petitioner shall take a SMART WEALTH goal insurance plan in the name of their daughter from Bajaj Allianz and shall pay a sum of Rs 1,00,000/- or the amount prescribed as per the plan for a period of 10 years.

10. The petitioners have further stated that they the 2nd petitioner shall

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be appointed as the natural and legal guardian of their child namely Anvika Vishnee and also have permanent custody of their child and the 1st petitioner waives his right towards visitation of their child. Both the Petitioners have no other claim or right in future and waive off their right to maintenance and alimony. Both the petitioners agreed to have individual life of their own choice and both the petitioners further confirm that either of them will not interfere in the life of the other and the petitioners have exchanged all their articles and there is no claims against each other.

11. The petitioners have settled their issues amicably which is evident from the pleadings and the evidence of 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 grant of divorce by mutual consent would meet the ends of justice and this point is answered accordingly.

In the result, this petition is allowed and the marriage between the petitioners which was solemnized on 02.05.2016 at Janaki Krishna Hall, New Woodlands Hotel, No.72-75, Dr. Radhakrishnan Road, Mylapore, Chennai – 600 004 is dissolved by mutual consent and the decree of divorce is granted. No costs.

Directly dictated to my steno typist and typed her in the computer directly to my dictation, corrected and pronounced by me in the Open Court, on 23rd day of January 2025.


VII ADDITIONAL PRINCIPAL JUDGE


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List of Witnesses examined on the side of the petitioners

P.W.1 Vishnoo Anand
P.W.2 Divya Ravishankar

List of Exhibits marked on the side of the petitioners :

Ex.P.1 Copy of the Aadhar Card of the 1st petitioner
Ex.P.2 Marriage Invitation
Ex.P.3 Marriage Photograph
Ex.P.4 Copy of Birth Certificate of their child.
Ex.P.5 Copy of the Aadhar Card of the 2nd petitioner

[Signature]
23.01.25
VII ADDITIONAL PRINCIPAL JUDGE



Draft/Fair in
H.M.O.P.No.5102 /2024
Date: 23/01/2025

[Signature]
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FAMILY COURT

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5/5/25
Superintendent.