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Sasikumar V. Vs. Vidyarani

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SooperKanoon Citation : sooperkanoon.com/1012718

Court : Kerala

Decided On : Dec-19-2012

Judge : Honourable Mr.Justice Pius C.Kuriakose

Appellant : Sasikumar V.

Respondent : Vidyarani

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE PIUS C.KURIAKOSE & THE HON'BLE MR. JUSTICE BABU MATHEW P.JOSEPH WEDNESDAY, THE 19TH DAY OF DECEMBER 2012 28TH AGRAHAYANA 193 Mat.Appeal.No. 3 of 2010 ( ) ---------- OP.965/2008 of FAMILY COURT,KOZHIKODE APPELLANT(S)/APPELLANT: ---------- SASIKUMAR.V., S/O.LATE RAGHAVAN NAIR, EDATHUMPOYIL HOUSE CHERUVANNUR P.O., MEPPAYUR, KOYILANDY TALUK KOZHIKODE DISTRICT. BY ADVS.SRI.K.P.SUDHEER SMT.P.JAYALAKSHMI RESPONDENT(S): ---------- VIDYARANI, D/O.LATE DAMODARAN NAMBIAR, CHAKKIYATH HOUSE, MEMUNDA AMSOM, KEEZHAL DESOM P.O.KEEZHAL, VADAKARA VIA, VADAKARA TALUK KOZHIKODE DISTRICT. BY ADV. SRI.MOHANAN V.T.K. THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON 19-12-2012, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: ds PIUS C. KURIAKOSE & BABU MATHEW P. JOSEPH, JJ.

---------- IA No.3188/2012 & Mat. Appeal No. 3 of 2010 ---------- Dated this the 19th day of December, 2012

JUDGMENT

Pius C. Kuriakose, J.

The above interlocutory application for dissolution of marriage on mutual consent is filed by the parties under Section 13B of the Hindu Marriage Act.

2. We have gone through the application, which is signed by the parties and duly attested by their respective counsel. It is stated in the petition that the parties are living separately since 16.09.2005 and that various attempts for reconciliation between them failed and that they are now convinced that reconciliation is out of question. It is also stated that the matrimonial bond between them is irretrievably broken. Further, it is stated that there is no collusion between the parties in the joint petition.

3. Having gone through the petition and having Mat. Appeal No. 3 of 2010 ..2.. heard the submissions addressed by the learned counsel for the 1st and 2nd petitioners, we hold that the marriage between the 1st and 2nd petitioners is liable to be dissolved by a decree of divorce in terms of Section 13B of the Hindu Marriage Act. The IA is allowed and the Mat. Appeal is closed. Post on 20.06.2013. The parties shall be present before this Court on that day. Sd/- PIUS C. KURIAKOSE, JUDGE Sd/- BABU MATHEW P. JOSEPH, JUDGE bka/- //True copy// PA to Judge

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