

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MR.JUSTICE DR. KAUSER EDAPPAGATH

FRIDAY, THE 26TH DAY OF FEBRUARY 2021 / 7TH PHALGUNA, 1942

Mat.Appeal.No.14 OF 2020

AGAINST THE ORDER IN OPHMA 869/2017 DATED 24-07-2018 OF FAMILY  
COURT, ALAPPUZHA

APPELLANT/2<sup>nd</sup> PETITIONER:

THANKAMANI.N  
AGED 44 YEARS  
D/O NEELAKANDAN, MARANATTU THEKKETHIL HOUSE,  
THALAVOOR VILLAGE, AVANEESWARAM, RAILWAY STATION  
P.O.KOLLAM DISTRICT.691508

BY ADV. SRI.ARUN MATHEW VADAKKAN

RESPONDENT/1ST PETITIONER:

V.S.RAJU  
AGED 49 YEARS  
S/O SREEDHARAN, VADAKKETHOPPIL, THANNEERMUKKAM NORTH  
VILLAGE, KANNANKARA P.O.CHERTHALA TALUK, ALAPPUZHA  
DISTRICT-688 527.

BY ADV. SRI.M.R.JAYAPRASAD  
BY ADV. SHRI.ROOPKUMAR G.  
BY ADV. SHRI.JOHN K.J.

THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON  
26.02.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**JUDGMENT**

Dated this the 26<sup>th</sup> day of February, 2021

**A. Muhamed Mustaque, J.**

This appeal was filed by the wife of the respondent. They are the petitioners in a joint petition filed under Section 13 B of the Hindu Marriage Act, 1955 for divorce by mutual consent before the Family Court, Alappuzha. During the counselling, the husband expressed his unwillingness for a decree of divorce on mutual consent. In the light of the stand taken by the husband, O.P.(HMA).No. 869/2017 was closed. It was challenging this, the wife filed this appeal.

2. Parties were referred for mediation. In mediation, parties agreed to settle the dispute and dissolve the marriage by mutual consent. Accordingly, a joint agreement has been filed by the parties. The joint agreement along with the report of the mediator is on board. Parties have submitted separate affidavits expressing their willingness for divorce by mutual consent. We had directed the parties to appear

in person. They are before us today. We interacted with them. They are firm in their stand. In the light of the above, we dissolve the marriage solemnized between the appellant and respondent on 14.9.2009. The appellant has foregone her monetary claim. In the light of the above, execution petition, if any pending, shall be closed. The attachment effected in O.P.(HMA) 177/2016 shall be lifted. The Family Court shall communicate the lifting of attachment to the Sub Registrar concerned without any delay.

Mat.Appeal is decreed accordingly.

Sd/-

**A.MUHAMED MUSTAQUE**

**JUDGE**

Sd/-

**Dr. KAUSER EDAPPAGATH**

**JUDGE**

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True copy

P.A. To Judge