IN THE COURT OF THE SENIOR CIVIL JUDGE AT JANGAON

Wednesday, this the 15th day of April, 2026

Present:-Smt. E.Sucharitha,
SENIOR CIVIL JUDGE,
JANGAON.

H.M.O.P.No.35 of 2026

Between:-

1) Gandhamalla Nagaraju, S/o. Pandri, Age: 37 years, Occ: Pvt.employee and agriculture, R/o. Peddakandukur village, Near Premier explosive limited and Railway gate, Yadagirigutta mandal of Yadadri Bhuvanagiri District.

Petitioner No-1

2) Smt. Nirmala @ Gandhamalla Navya Sri, W/o.Gandhamalla Nagaraju, D/o. Yellaiah, Age: 25 years, Occ: House wife, R/o. Pembarthi village of Jangaon mandal of Jangaon District.

….Petitioner No-2

And

NONE **….Respondent**

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This petition came before me on 15/04/2026 for final hearing in the presence of **Sri. B. Venkat Narsaiah, Sri Mote Sampath, Sri Y. Jagadesh Reddy**, counsel for the Petitioner No-1 and Petitioner No-2 and there is no Respondent; upon perusing the material papers available on record and upon hearing the arguments and the matter having stood over for consideration till this day, this Court delivered the following:

: : O R D E R : :

1. This is an application filed U/s.13-B of Hindu Marriage Act, 1955 by the petitioners no-1 and 2 praying this Court to grant divorce of mutual consent by dissolving their marriage held on 02-07-2021.

2. The brief averments of the petition are that, the petitioners No-1 and 2 got married on 02-07-2021 at P.V.M Gardens, Manikyapuram road, Pembarthi village, Jangaon mandal, Jangaon District, as per the customs and traditions of

their community. Their marriage was consummated, out of their wedlock no children were born.

3. The petitioners further stated that they lead marital life happily for a period of two (2) years only. Thereafter, due to serious differences between them, they are unable to live together, which resulted in the petitioners living separately since 20.02.2024 till today. The matter was placed before elders and that several panchayats were held before caste elders, well-wishers and village elders and they have advised them to live happily without any disturbance, but the petitioners did not head their advice and the marriage between the petitioners broke irretrievably and there is no possibility of re-union. Keeping in view the disturbed family life of petitioners and that the couple have been living separately from 20.02.2024 till today, the elders advised them to approach competent court for dissolution of their marriage on mutual consent. It is further stated that, in view of their compromise, they declared that they would not file any further cases against each other either civil or criminal, they further declared that they shall not interfere in the family affairs of each other and there is no collusion between them. As both the petitioners wish to lead their independent life without effecting other parties private life they filed this petition with mutual consent without any coercion or any force.

4. During enquiry both the petitioners submitted that they have already exchanged their belongings, cloths, gold ornaments, and articles of each other and nothing is left over to be exchanged as agreed by them. The petitioners undertake that, they will not file any criminal and civil cases against each other and their family

members either in movable or in immovable properties. The petitioner No.2 shall not file any cases against the petitioner No.1 and his family members either against movable or immovable properties at any point of time, hereinafter they shall not interfere in the individual life of each other and liberty to lead their lives with their own choice.

5. While the matter stood pending for six (6) months statutory period observation the petitioners filed waive petition U/s 13-B, with a prayer to waive off six (6) months statutory period by relying on a decision of Hon'ble Supreme Court rendered in **Civil Appeal No.1158/2017, dt.12/09/2017 between Amardeep Singh Vs. Harveen Kaur** wherein it is held that:

> *"The court dealing with a matter is satisfied that a case is made out to waive the statutory period under Sec.13 B(2), it can do so after considering the following:*
> *i) the statutory period of six months specified in Sec.13 B (2), in addition to the statutory period of one year under Section 13 B (1) of separation of parties is already over before the first motion itself;*
> *ii) all efforts for mediation/conciliation including efforts in terms of Order XXXIIA Rule 3 CPC/ Section 23 (2) of the Act/Section 9 of the Family Courts Act to reunite the parties have failed and there is no likelihood of success in that direction by any further efforts;*
> *iii) the parties have genuinely settled their differences including alimony, custody of child or any other pending issues between the parties.*
> *iv) the waiting period will only prolong their agony.*

6. In view of the guide lines noted above, the parties, were made to attend counseling but none of them got materialized. The parties were found not living as husband and wife. Both parties genuinely settled their disputes including alimony and filed receipt as Ex.P2 for 5 tulas gold. There is no possibility of reunion of parties and further waiting period amounts to prolonging agony among parties.

7. Both the petitioners appeared before Court on 15-04-2026 and filed their respective chief-affidavits. This court again tried them for re-conciliation, but both the petitioners expressed, that they are living separately since 20.02.2024 till today, and there is no possibility of re-union and their intention to live separate is not changed since their separation and even after filing this petition. Hence, both the petitioners were examined before this Court as PWs1 and 2 and Ex.P1 and Ex.P2 got marked.

8. Heard the counsel for the petitioners.

9. Now the point for consideration is:

Point No.1: Whether the petitioners are entitled for the relief of dissolution of their marriage held on 02/07/2021 by way of granting divorce on mutual consent?

10. **POINT No: 1**

The petitioners No-1 and 2 got married on 02-07-2021 at P.V.M Gardens, Manikyapuram road, Pembarthi village, Jangaon mandal, Jangaon District, as per the customs and traditions of Hindu marriage. Their marriage was consummated, out of their wedlock no children were born.

11. The oral evidence of PW1 and PW2 remained undisputed and the fact that both the parties are wiling to dissolve their marriage between them that took place on 02-07-2021, also remained undisputed and unchallenged. Further, it is seen that all reconciliations went in vain and there is no possibility of re-union between them. The record further reveals that, the petitioner No.1 and 2 are not living as wife and husband from 20.02.2024 till today, and all the disputes and claims among them were genuinely settled as agreed between them. In view of

the oral evidence of PW1 and PW2, this court is of the opinion that, the petitioners No.1 and No.2 are entitled for dissolving their marriage that took place on 02-07-2021. Accordingly, this point is answered in favour of both the petitioners.

12. In the result the petition is allowed without costs. The marriage which took place between the petitioners No. 1 and 2 on 02-07-2021 is hereby dissolved from this day i.e. on 15-04-2026 by way of court decree by mutual consent under Sec. 13-B of Hindu Marriage Act.

(Typed to my dictation by the Stenographer Grade-I, corrected and pronounced by me in the open Court on this the 15th day of April, 2026.)

Sd/-xxxxxxxxx
SENIOR CIVIL JUDGE,
JANGAON

APPENDIX OF EVIDENCE
WITNESSES EXAMINED

For Petitioner:
PW.1: Gandhamalla Nagaraju
PW.2: Nirmala @ Gandhamalla Navya Sri

For Respondent:
-None-

EXHIBITS MARKED

For Petitioner:
Ex.P1: Original Wedding card
Ex.P2: Receipt, dt.15.04.2026

For Respondent :
- Nil -

Sd/-xxxxxxxxx
SENIOR CIVIL JUDGE,
JANGAON.

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SENIOR CIVIL JUDGE,
JANGAON