

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

THURSDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND SIXTEEN
(10.03.2016)

PRESENT
THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
&
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

FCA MP Nos.624/2015 & 113/2016 in FCA.No.43/2015
&
FCA No.43 of 2015

Between:

M.V.D.S.Murthy

..... APPELLANT/PETITIONER

AND

M.V.Laxmi @ Ramya

.....RESPONDENT

Counsel for the Petitioner

: **Mr.ERANKI PHANI KUMAR**

Counsel for Respondent

: **Mr.P.RAMESH BABU**

The Court made the following:

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
&
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

FCA MP Nos.624/2015 & 113/2016 in FCA.No.43/2015
&
FCA No.43 of 2015

JUDGMENT: (per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

FCA No.43 of 2015 is filed by the petitioner in FCOP No.241 of 2012, feeling aggrieved by dismissal of the said O.P by the Judge, Family Court at Secunderabad, declining to grant decree for dissolution of marriage between the petitioner and the respondent.

FCA MP No.624 of 2015 is filed by the appellant to record the terms of compromise for dissolution of marriage between himself and the respondent.

When the case came up before this Court on 09.03.2016, both parties were present and they informed the Court that they have reached a settlement, as per which, they agreed for dissolution of marriage by mutual consent. In pursuance of the agreed terms, the appellant had handed over a Bankers Cheque for a sum of Rs.5 lakhs (Rupees five lakhs) to the respondent, vide Bankers Cheque No.009406, dated 29.10.2015, drawn on HDFC Bank, West Marredpally Branch, Secunderabad, during the hearing of the case. The case was adjourned to today to enable the parties to file a joint application seeking dissolution of marriage by mutual consent under Section 13-B of the Hindu Marriage Act, 1955 (for short "the Act"). Accordingly, the appellant has filed FCA MP No.113 of 2016 for conversion of FCOP No.241/2012 as one filed under Section 13-B of the Act, instead of under Section 13(1)(ia) of the Act and to dissolve the marriage of the petitioner and the respondent, held on 04.03.2009, by granting a decree of divorce by mutual consent.

Today also, both parties are present and both of them have informed the court that due to irreconcilable differences between them,

they will not be able to live together and that in their own interest their marriage may be dissolved.

In the light of the above facts, FCA MP Nos.624/2015 and 113/2016 are allowed, and the marriage of the petitioner and the respondent, held on 04.03.2009 is dissolved by granting a decree of divorce by mutual consent, in terms of the compromise memo entered between the parties. Consequently, FCA No.43 of 2015 stands disposed of.

C.V.NAGARJUNA REDDY,J

M.S.K.JAISWAL,J

Date: 10.03.2016

Dsr