**BEFORE THE PRINCIPAL FAMILY COURT JUDGE, AT BANGALORE**

MC.No: /2019

**BETWEEN**

Mr.Madhava.K.S,

Aged about 35 years,

S/o.Late.Sri.Srinivas.K,

R/at.No.2492/1, 21st Main,

25th Cross, 2nd Stage,

Near BDA, Banashankari,

Bengaluru-560 070, -- Petitioner

**AND**

Mrs.N.Shruthi,

Aged about 34 years,

W/o.Mr.Madhava.K.S,

No.S2, Gurupriya Vinyasa Apartments,

1st Main, 5th A Cross,

Hanumagiri,

Chikkalasandra,

Bengaluru-560 061, -- Respondent

**MEMORANDUM OF PETITION UNDER SECTION 13 (1) (ia) OF THE HINDU MARRIAGE ACT 1955.**

The petitioner named above submits as follows:-

1. The address of the parties for the purpose of services of notice, summons etc., from this Hon’ble Court is as per the above cause title. The petitioner may also be served through his Counsels **M.R.C.Manohar, Mohankumar.H, M.T.NANAIAH ASSOCIATES** Advocates No.14, Mamatha ‘A’ Apartment, Flat.No.201, II Floor, 4th Main, Gandhinagar, Bangalore - 560 009.

2. It is submitted that, the petitioner and the respondent are Hindus by birth and their marriage was solemnized on 22-11-2015, at SriDharmagiri Manjunathaswamy Devalaya, at Banashnkari 2nd Stage, Bengaluru, as per Hindu Rites and Customs. Subsequently the marriage has been registered on 01-06-2016, Vide Document No.BSK-HM186/2016-17, stored in CD Number.BSKM39, before the Registrar of Marriage, Banashankari, Bangalore. The marriage of the petitioner with the respondent is an arranged marriage. The original marriage invitation card, the marriage photo and the original Marriage Registration Certificate are produced herewith as **ANNEXURE-A, B & C** respectively for the kind perusal of this Hon’ble court.

3. It is submitted that, immediately after the marriage the respondent started living with the petitioner at matrimonial house, at No.186, 6th Main, 7th Block, Banashankari 3rd Stage, Bangalore, in a rented premises. The petitioner extended full support and co-operation to the respondent for managing the affairs of the family as a Hindu dutiful husband.

4. It is submitted that, the marriage is not consummated between the petitioner and the respondent and there are no children born from the wedlock.

5. It is submitted that, the marriage of the petitioner and the respondent is an arranged marriage, infact the respondent’s family friend Dr.Narayana and Dr.Shivaswamy introduced respondent family to the petitioner’s maternal aunt Dr.Chitra Srinivas and Dr.Srinivas.

6. It is submitted that, thereafter as per the instructions of both the families the petitioner and the respondent met at Coffee Day near Ashoka Pillar, Jayangar, Bengaluru. In the said meeting the petitioner and the respondent exchanged their qualifications, regarding their job and about their future and subsequently expressed their interest in the marriage with their families.

7. It is submitted that, thereafter both families met each other and agreed for the marriage proposal by both sides and engagement was done on 9-9-2015 and thereafter the marriage date was fixed on 22-11-2015. After the engagement both the petitioner and the respondent met each other multiple times and they understood about each other. They used to talk over phone, WhatsApp also. Just couple of weeks before marriage with the consent of the respondent and her family, the petitioner has taken rented premises as stated above.

8. It is submitted that, the first night of marriage of the petitioner and the respondent was arranged at Hotel Ashoka, Kumara Park West, Bengaluru. But the respondent postponed consummating the marriage on that day the reason best known to her. Then the petitioner did not force her by thinking that it is natural process and it will happen some other day. The marriage reception was held on 23-011-2015 at Sri Rajhans Convention Hall, West of Chord Road, Bengaluru.

9. It is submitted that, in the first week of the marriage, the petitioner and the respondent went to Windflower Resort, near Mysore and they stayed there for couple of days. During this time also the marriage is not consummated, since the respondent did not shown much interest to consummate the marriage, but both the petitioner and the respondent used to go an extent of consummating level at that time the respondent used to stop the situation. In this regard the petitioner suggested the respondent to consult the Gynecologist, but the respondent did not shown any interest to meet the Gynecologist or discuss about this with the petitioner.

Whenever the petitioner ask about having kids respondent would respond saying, “she cannot take that responsibility, she is not ready or she cannot make the commitment, marriage itself is an big responsibility to me”.

10. It is submitted that, after one month of the marriage the respondent’s mother expressed her displeasure that the petitioner didn’t take her daughter outside the country for honeymoon and used to say that her daughter has lot of dreams about her marriage and future, which has to be fulfilled by the petitioner. During tenure of marriage the petitioner has taken the respondent to Udaipur, Kabini, Galibore, Mysore and Goa, even then the respondent used to express her displeasure towards him. Thereafter the petitioner asked the respondent to plan for honeymoon trip outside the country, but the respondent did not show munch interest stating that, the petitioner has to build his physique and has to get his face cleared of his scars and pimples. Further the respondent constantly compared the petitioner with her 2nd sister’s husband and her parents were also used to say the same with the petitioner and his relatives. This act of the respondent and her parents made the petitioner to put him in embarrassing situation and it caused severe mental trauma and it affected his self confidence, he could not tolerate the act of the respondent and her parents.

11. It is submitted that, after couple of months of marriage the respondent never used to respond properly with the petitioner and she was very moody, volatile and she never bothered about the petitioner. The petitioner’s aged mother is staying alone in Mysore and the petitioner used to visit his mother once in a month, for this the respondent seriously objected the petitioner to see his mother, if whenever the respondent used to accompany the petitioner while going to Mysore, she used go and stay in her aunt’s place, but she never stayed in the petitioner’s house in Mysore except once after the marriage. Even the respondent was not talking with the petitioner’s mother cordially in her short visit to Mysore and she hardly used stay one or two hours in the petitioner’s house. The petitioner used to request the respondent to stay one or two days along with his mother to keep his mother happy and to spend some quality time with his mother and his relatives. For this the respondent used to say she wants stay with her cousins and never allowed the petitioner to stay with his mother, if the petitioner say that, he will stay with his mother and asked her go to her cousins place, she used emotionally blackmail the petitioner by not talking with him.

12. It is submitted that, the petitioner’s is basically from Thirthahalli, Shimoga and the petitioner born and brought up there and he has relatives there. For which the petitioner asked the respondent to visit the place where he has born and brought up so that, they can meet his relatives and visit the tourist places in and around Thirthahalli. But the respondent refused to visit that place and said she is not comfortable travelling with the petitioner and to meet his relatives. This attitude of the respondent is hurt the petitioner emotionally and its create distance between the petitioner and his relatives and the respondent used to object the petitioner to go alone to meet them. The respondent and their family wanted the petitioner to dance to her tunes and there is no love and affection towards him.

13. It is submitted that, whenever the respondent gets an opportunity she used to taunt and quarrel with the petitioner that, “you didn’t take her to international trip for honeymoon”, even after the petitioner insisted the respondent to plan for international trip, the respondent used to brush it off saying “now I am not interested”. In other hand the respondent used to blame the petitioner unnecessarily without fault of the petitioner.

14. It is submitted that, the respondent constantly expressed her dislike by not talking for weeks with no reason, even if the petitioner persuade her to talk, she will reply either yes or no, she would continue behaving like as she expected her husband to be outgoing, social and lively person. Further the respondent used to compare the petitioner with her friends how they ride bike (zig zag high speed, which places they visited ,international destinations and etc., The respondent insulted the petitioner to take few of his belongings out of the house like center table, single bed cot, even though her elder brother in-law have given her used dining table and shoe rack. Constantly showed her displeasure that house was not completely set or arranged. Infact the respondent never used to do the house hold activities at any point of time, whenever she gets time she used to go to her mother’s place and she never had any interest to keep the house clean and neat, in other she used to blame the petitioner to do all the house hold chores. In one of the occasion, the respondent had insulted the petitioner in front of her American return.

15. It is submitted that, the respondent never interested in meeting any of relatives of the petitioner but she always expected the petitioner to meet her relatives and after the visit she used to compare the petitioner with them. Most of the weekend the respondent will go to her mother’s place in Padmanabhanagar or second sister place at Bannerghatta and will spend time but if the petitioner has to meet his mother she used to refuse it. In all the festival the respondent wanted to celebrate in her mother’s place, she was not willing to come to the petitioner’s house in Mysore for festivities to celebrate with his mother.

16. It is submitted that, the respondent was not preparing food like breakfast, lunch or dinner in the house, even she was not preparing for herself as her father used bring the food from his house, but she never bothered to prepare the food in her house , petitioner was not interested in getting food from her mother’s .

17. It is submitted that, most of the vegetables or fruits and milk whatever the petitioner used to bring to home ended up in dustbin, because of the respondent’s lazy attitude, if the petitioner questioned this it would lead to quarrel. As such the petitioner stop questioning this attitude of the respondent. At once the petitioner cooked and served the respondent’s cousin Mr.Karthick and his family non-veg, but the respondent did not support to prepare and serve them also. The respondent wanted or expects everything to be readily available, or someone does it for her and by default husband is the one who is supposed to do that.

18. It is submitted that, the respondent, her family members and their family friends have drinks alcohol together and if the petitioner says he is not interested in having alcohol, for which they labeled him as he is not fast, not social and not upto their standard.

19. It is submitted that, the respondent for each and every decisions she wanted to consult her brother in-law, her parents and her second sister. Never could make any decision individually or consult the petitioner even during shopping. The respondent only world is her parents, her brother-in-law and not anyone else, the petitioner was nothing for her and she is heavily influenced by them. She believed her second brother in-law words and decisions more than the petitioner.

21. It is submitted that the petitioner has changed Job from ANZ TO JP Morgan during September 2016. One of the reasons he could not continue further with new job more than two months, because constant mental harassment and pressure was created by the respondent at home. The first thing the respondent told the petitioner when he got job at JP Morgan is, he should get up early and help the respondent to prepare breakfast.

22. It is submitted that, When the petitioner’s mother visited his house for first time after marriage, respondent had an big issue,  petitioner should have asked her consent before he got his mother to their house and the petitioner and his mother felt very bad.

During this time respondent parents had visited petitioner’s house around 9.30 pm, petitioner raised the concerns about their daughter’s attitude and respondent is not having any interest to start family, respondents mother mentioned you are not like us, you both are not compatible, later at the end of the discussion or argument her mother mentioned  “we will take back our daughter home, or better give divorce”.

23. It is submitted that, Once Petitioner had asked respondent what she need for her birthday her reply was as a present go to dermatologist get your face corrected. Respondent has an issue that petitioner cannot dance, he cannot ride gear bike.

24. It is submitted that, in 2016 Once petitioner rejoined ANZ in November he got an opportunity to go to Melbourne for 58 days In February 2017, when the petitioner asked what she wants to do she mentioned her friend Srinivas engagement in Hyderabad she cannot come, once petitioner reached Melbourne she stopped messaging or talking, they used have arguments there too, then she wanted to come to Melbourne, petitioner told her to arrange for visa via Thomas cook and shared the details and will help you with other things like supporting documents and flight tickets etc petitioner will take care, for that too she was blaming the petitioner.

Respondent used to mention by the time petitioner come to Bangalore respondent will move out of the current house.

Meanwhile respondent went for Sikkim trip with her parents and she joined WIPRO.

June 4th 2017 respondent told she will not be coming back , respondent went to her mother’s house , respondent mother came at night and took few of respondent clothes in between respondent used to visit petitioner’s house to take clothes.

During this time respondent’s mother called at night and shouted at petitioner saying “why don’t you give divorce, you are a loser”.

Respondent herself called petitioner and told she will be back on October 7th 2017, petitioner went and picked her up from respondent’s mother place.

25. It is submitted that, petitioner asked respondent to move to a new rented house which is near to office for both the petitioner and respondent, respondent was not willing to do so rather respondent wanted to shift near her sisters place in bannerghatta.

26. It is submitted that, Once respondent returned back on October 7th 2017 again she started behaving the same way like not talking, giving very vague answers, showing disinterest.

27. It is submitted that, on 1st of April 2018 respondent vacated the house with all her belongings like clothes, jewels, documents, cot, micro wave etc. till date respondent or their family didn’t inform about respondent where about to petitioner or his mother.

Petitioner relatives tried to convince their parents to have face to face discussion but never responded positively.

28. Petitioner waited for a year meanwhile they had met and discussed couple of times on how to take this marriage forward finally respondent has conveyed message through their lawyer that is respondent are okay to go for mutual consent divorce if petitioner can pay 25 lacs and the jewels that has been given by the petitioner during engagement and marriage.