# Legal Case Summary: Amutha vs A.R. Subramanian (2024)

Case Title: Amutha vs A.R. Subramanian

Citation: 2024 INSC 1033

Court: Supreme Court of India

Date of Judgment: 19 December 2024

Bench: Justice Vikram Nath, Justice Prasanna B. Varale

## Facts of the Case:

- The appellant (wife) challenged the High Court’s order granting divorce to the respondent (husband) on the grounds of cruelty and desertion.  
- The couple was married in 2002, had a daughter in 2003, and lived separately since 2004 after failed attempts at reconciliation.  
- The husband alleged cruelty by way of false dowry complaints and desertion.  
- The Trial Court and First Appellate Court rejected the husband’s divorce petition, but the High Court reversed these findings and granted a divorce.

## Procedural History:

- Divorce petition filed by husband was dismissed by the Trial Court.  
- First Appellate Court upheld the Trial Court's decision.  
- High Court reversed both judgments and granted a decree of divorce.  
- The wife appealed to the Supreme Court challenging the High Court’s intervention under Section 100 CPC.

## Issues before the Court:

1. Whether the High Court could interfere with concurrent findings of fact under Section 100 CPC.  
2. Whether the husband proved cruelty and desertion by the wife.  
3. Whether irretrievable breakdown of marriage justified the grant of divorce.

## Judgment:

- Supreme Court upheld the High Court’s judgment.  
- Held that mental cruelty and desertion were proved.  
- Found that the marriage had irretrievably broken down.  
- Decree of divorce was sustained, and permanent alimony was granted.

## Key Legal Findings:

1. Filing of false dowry complaints by the wife amounted to mental cruelty.  
2. Prolonged separation (20 years) indicated irretrievable breakdown of marriage.  
3. The wife's lack of genuine effort for reconciliation further supported the finding of desertion.  
4. Supreme Court invoked Article 142 to do complete justice and uphold divorce.  
5. Precedents cited include Samar Ghosh, Naveen Kohli, and Ashok Hurra.

## Final Decision:

✅ Appeal dismissed  
✅ Divorce decree upheld  
✅ ₹50 lakhs awarded as permanent alimony to wife  
✅ ₹50 lakhs awarded for daughter’s education and future expenses  
✅ Amount to be paid by husband within 4 months  
✅ No order as to costs