

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

MONDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN
AND
THE HONOURABLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY

I.A.No.1 of 2025
In/And
FAMILY COURT APPEAL (FCA) NO: 4 OF 2014

Appeal under section 19 of Family Courts Act, 1984, aggrieved by the Decree and Order dated 30-01-2013 passed in O.P.No.27 of 2009 by the Judge, Family Court-cum-Additional District and Sessions Judge, Nalgonda.

Between:

Ravirala Madhavi, W/o Satyam, Aged 35 yrs, Occ: Private Employee, R/o H.No.7-1-307/15/A, G-2Floor, Ramya Enclave, Subhash Nagar, Sanathnagar, Hyderabad.

...Appellant

AND

Ravirala Satyam, S/o Yadagiri, Aged 42 yrs, Occ: Technician in Usha Kiran Digital Colour Lab, R/o Bottuguda Locality of Nalgonda Town and District.

...Respondent

I.A. NO: 2 OF 2013(FCAMP. NO: 637 OF 2013)

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of Decree and order dated 30.01.2013 in OP No. 27 of 2009 on the file of the Judge Family Court-cum-Additional District & Session Judge, Nalgonda, pending disposal of above FCA.

I.A NO: 1 OF 2025

Between:

Ravirala Madhavi, W/o Satyam, Aged 49 yrs, Occ: Household, R/o H.No.7-1-304/2A, G-2Floor, Grace Villa Apartment, Ravindra Nagar, Beside ESI Hospital, Sanath Nagar, Hyderabad-500038

...Petitioner/Appellant

AND

Ravirala Satyam, S/o Yadagiri, Aged 54 yrs, Occ: Business, R/o Sri Usha Kiran Digital and Laser Colour Lab & Digital Studio, near Clock Tower, R.P.Road, Nalgonda Town & District.

...Respondent

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to receive the Xerox copy of the order in M.C. No. 282 of 2007 on the file of the Hon'ble Additional Metropolitan Sessions Judge for the Trial of JHCBC Cum Additional Family Court Cum XXII Additional Chief Judge Court, Hyderabad.

Counsel for the Appellant: SRI PASHAM RAVINDRA REDDY

Counsel for the Respondent: SRI J SURESH BABU

The Court made the following: **JUDGMENT**

HON'BLE SRI JUSTICE K. LAKSHMAN
AND
HON'BLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY
FAMILY COURT APPEAL No.4 OF 2014
ALONG WITH I.A. No.1 OF 2025

JUDGMENT: (Per Hon'ble Sri Justice K. Lakshman)

Heard Mr. Pasham Ravindra Reddy, learned counsel for the appellant - wife and Mr. J. Suresh Babu, learned counsel for the respondent - husband.

2. This Family Court Appeal is preferred by the appellant challenging the order dated 30.01.2013 in O.P. No.27 of 2009 passed by learned Judge, Family Court-cum-Additional District and Sessions Judge, Nalgonda, granting decree of divorce by dissolving the marriage tie between the appellant and the respondent held on 31.03.2000.

3. The appellant herein is the wife and the respondent herein is the husband. He filed the aforesaid O.P. No.27 of 2009 under Section - 13 (1) (ia) (ib) of the Hindu Marriage Act, 1955, against the appellant - wife, seeking decree of divorce on the grounds of cruelty and desertion.

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4. The respondent filed the aforesaid OF on the following grounds:

- i. Their marriage was held on 31.03.2000 as per Hindu rites and customs.
- ii. After the marriage, the appellant joined the company of the respondent.
- iii. Out of their wedlock, they were blessed with a female and male child, namely Ms. Sona Chandini and Mr. Yur araj.
- iv. Thereafter, disputes arose between the parties on account of conduct of the appellant as she was in the habit of dominating the respondent as she is a graduate in science, whereas the respondent studied up to SSC.
- v. The appellant used to demand money for unnecessary expenditure. Since the respondent is working as a technician in Photo Studio, he is unable to meet her luxury money demands.
- vi. She went to her parents' house at Hyderabad in the year 2005 and refused to rejoin his company. However, at the intervention of elders, to lead happy marital life, both the parties agreed to live together and accordingly reduced it to writing an undertaking on 13.03.2005.

- vii. Even then, there was no change in the attitude of the appellant and went to her parents' house in May, 2005 without informing the respondent.
- viii. Despite the efforts put forth by the respondent including issuance of notice in September, 2006, the appellant did not join his company.
- ix. The appellant filed a maintenance petition under Section - 20 (1) of Protection of Women from Domestic Violence Act, 2005 and the same was registered as Pre Litigation Case No.3 of 2006 and an award was passed on 30.12.2006 by the Lok Adalat, wherein the parties agreed to live together and the respondent undertook to pay an amount of Rs.1,500/- towards maintenance to her and children.
- x. On arrival of the appellant to the house of the respondent, it was found that she was carrying pregnancy. Therefore, he got examined her in Venkateshwara Nursing Home, Nalgonda on 03.02.2007. After getting a lab report, the doctor opined that the appellant was carrying pregnancy of six (06) weeks.
Therefore, the respondent entertained a doubt for the said pregnancy and questioned her as to how she was carrying six

weeks of pregnancy when she rejoined his society only on 17.01.2007.

xi. Therefore, the appellant gave a report on 06.02.2007 alleging demand of additional dowry by the respondent and the same was registered as Crime No.26 of 2007 by Women Police Station, Nalgonda for the offences under Sections - 498A and 506 of IPC and Sections - 3 and 4 of the Dowry Prohibition Act. After completion of investigation, the police laid charge sheet and the same was numbered as C.C. No.53 of 2007. However, it was ended in acquittal.

xii. She has also filed a petition under Section - 23 of Cr.P.C. *vide* M.C. No.282 of 2007 before the learned Judge, Additional Family Court, Hyderabad, seeking maintenance, wherein an amount of Rs.3,000/- was ordered to be paid by the respondent to her and an amount of Rs.1,500/- each to the children.

5. The appellant herein filed counter denying the claim of the respondent on the following grounds:

- i. At the time of marriage, her parents gave an amount of Rs.2,00,000/- as dowry apart from other house-hold articles worth Rs.50,000/- to the petitioner.
- ii. Few months thereafter, the respondent started harassing her for additional dowry. In pursuance thereof, the respondent demanded additional dowry of Rs.1,00,000/- for which he drove her out of the house and, therefore, she was compelled to live separately from the respondent.
- iii. She denied about his lavishly spending the amount for unnecessary things.
- iv. The respondent harassed the appellant, both mentally and physically and threatened her that he would contact second marriage.
- v. The respondent got one concubine, namely Hyma and always abused her to leave his company, so that he can marry that woman.
- vi. The respondent made all false and baseless allegations in the petition with an intention to get divorce from the Court.

6. In order to prove the case of the respondent herein, he himself examined as PW.1 and also examined his caste elder as PW.2 on his behalf, and got marked Exs.P1 to P4, whereas the appellant herself examined as RW1 and got examined RWs.2 and 3 on her behalf and also marked Ex.R1.

7. After hearing both sides and on consideration of the evidence, both oral and documentary, *vide* order dated 30.01.2013, learned Judge, Family Court allowed the said O.P granting decree of divorce dissolving the marriage held on 31.03.2000 between the parties on the following grounds:

- i. The appellant left the company of the respondent voluntarily and filed criminal cases with false allegations to harass him, it amounts to mental cruelty.
- ii. The appellant did not prefer any appeal against the acquittal judgment
- iii. The appellant did not prove the illegal intimacy of the respondent with Hyma.
- iv. The appellant herself admitted that she got abortion of six weeks pregnancy, but she deposed that it is informed to the

respondent which was denied by him. All these facts would amount to mental cruelty to the respondent.

- v. Both the parties are living separately before filing the petition and there is no chance of re-union to lead marital life.
- vi. There were no cordial relations between the parties.

8. Challenging the said decree of divorce, the appellant - wife filed the present appeal.

9. I.A. No.1 of 2025 is filed by the appellant - wife to receive Photostat copy of order in M.C. No.282 of 2007, as additional evidence. It is the specific contention of the appellant - wife that she and her children have filed a petition under Section - 125 of Cr.P.C. against the respondent - husband seeking maintenance. *Vide* order dated 02.04.2009, learned Additional Metropolitan Sessions Judge for trial of Jubilee Hills Car Bomb Blast Case-cum-Additional Family Court-cum-XXIII Additional Chief Judge, Hyderabad, ordered an amount of Rs.2,000/- (Rupees Two Thousand Only) per month to the wife, Rs.1,500/- (Rupees One Thousand and Five Hundred Only) per month each to the children. There is no challenge to the said order. However, learned counsel for the respondent did not dispute the said

fact and the order. In the light of the same, I.A. No.1 of 2025 is ordered.

10. The aforesaid rival submissions would reveal that the marriage of the appellant with the respondent was performed on 31.03.2000 as per Hindu rites and customs. It is an arranged marriage. They were blessed with two (02) children out of their wedlock i.e., Ms. Sona Chandini and Mr. Yuvaraj, who are aged : even (07) and six (06) years, respectively at the time of impugned order. Now, they are 23 and 22 years respectively. At the time of filing the aforesaid OP, the respondent - husband was 38 years and now he is 56 years, whereas the appellant - wife was 31 years and now she is 46 years. It is not in dispute that the respondent was a Technician in Usha Kiran Digital Colour Lab.

11. As discussed above, the respondent - husband has filed the aforesaid petition against the appellant seeking dissolution of marriage on the grounds of cruelty and desertion. Therefore, burden lies on him to plead and prove the same.

12. In the aforesaid petition, he has specifically stated that misunderstandings arose between him and his wife. His wife used to

go to her parental house at Hyderabad very frequently in spite of the instructions by husband not to go very frequently and whenever she used to go to Hyderabad, she never returns to his company unless he takes back her to his house at Nalgonda. She was in the habit of dominating him on the ground that she is a graduate in Science, whereas he studied up to SSC. She used to spend money above the level earning capacity of the husband. She used to demand money very frequently to meet her unnecessary expenditure. He was working as Technician in Photo Studio and he was unable to satisfy her money demands and luxury wants. Thus, the appellant herein started harassing him by leaving his company.

13. In the year 2005, she left the company of the husband. He has placed the matter before the caste elders, who advised them to live together to lead marital life happily. Both the parties agreed accordingly and reduced terms into writing by an undertaking dated 13.03.2005. Thereafter, the wife resumed conjugal society of the husband. But, there is no change in her attitude. She went away to her parental house in May, 2005 without informing the husband ignoring the said undertaking given before the caste elders. He has submitted an application to the President, Nalgonda District

Padmashali Sangham, Nalgonda on 02.07.2005. The President called for reply from the appellant herein. The said President of the Sangham called both the parties and their elders for settlement of disputes between them on 09.08.2005. The husband and his elders appeared before the President of the Sangam on 09.08.2005, whereas the wife and her elders did not attend. Therefore the meeting was adjourned to 16.08.2005, on which date she did not come forward. Therefore, the President and Members of the said Sangam came to an opinion that the appellant - wife was not interested to lead happy marital life with the respondent - husband.

14. Thereafter, he has issued a legal notice in September, 2006 calling her to join his company. Despite receiving the said legal notice, she did not join his company and on the other hand, she has filed an application under Section - 12 of the Protection of Women from Domestic Violence Act, 2005 before the permanent Lok Adalat at Metropolitan City Criminal Courts, Hyderabad. On 22.12.2006, the same was registered as Pre Litigation Case No.3 of 2006. An award dated 30.12.2006 has been passed, parties have also agreed to live together. The husband undertook to pay an amount of Rs.1,500/- per month towards maintenance to her and the children. Accordingly, the

wife arrived to the house of the husband. She was carrying pregnancy. Therefore, he got examined the wife in Venkateshwara Nursing Home, Nalgonda on 03.02.2007. After getting a lab report, the doctor has opined that she was carrying six (06) weeks pregnancy. Therefore, the husband entertained a doubt for the said pregnancy and questioned the wife as to how she was carrying six weeks of pregnancy, when she re-joined his society only on 17.01.2007. There was no explanation from her. Then the husband started entertaining a doubt about the paternity of the child in the womb and she has filed a complaint before the Women Police Station, Nalgonda on 06.02.2007, who in turn registered a case in Crime No.26 of 2007.

15. She has also filed an application under Section - 125 of Cr.P.C. *vide* M.C.No.282 of 2007 seeking maintenance. The same was also allowed in part. The respondent came to know that the appellant got aborted the third issue at Hyderabad without intimation to him. Ex.P4 is the medical prescription dated 03.02.2007. Thus, she got aborted the pregnancy apprehending that the paternity of the said issue will be questioned by the respondent through DNA test and her conduct will come to open. After completion of investigation in the said crime, the Investigating Officer laid charge sheet against the

husband and it was taken on file vide C.C. No.53 of 2007. The same was ended in acquittal *vide* judgment dated 28.01.2009. However, the appellant did not prefer any appeal and, therefore, he said judgment attained finality.

16. As discussed above, to prove the said cruelty and desertion, the respondent - husband examined himself as PW.1 and caste elder as PW.2. Both of them spoke on the same lines. Nothing was elicited from them during cross-examination. Perusal of record would reveal that the wife has lodged the aforesaid complaint against the husband for the offence under Sections - 498A and 506 of IPC and Sections - 3 and 4 of the Dowry Prohibition Act. The same was ended in acquittal *vide* Ex.P1. She has approached the permanent Lok Adalat by filing an application in PLA No.1067 of 2006, and the Lok Adalat passed an Award under Ex.P2. She has also filed an application under Section - 12 of the Protection of Women from Domestic Violence Act, and learned IV Additional Chief Metropolitan Magistrate, Hyderabad, passed Ex.P3 order.

17. It is relevant to note that after Ex.P2 - Award of Lok-Adalat, the appellant - wife joined the company of the respondent.

She was carrying pregnancy of six (06) weeks. He got suspicion on the appellant - wife. Thereafter, she got the said pregnancy aborted. To prove the same, the husband has filed Ex.P4, dated 03.02.2007.

18. It is also not in dispute that PW.2 has issued notice dated 02.08.2005 to the appellant - wife *vide* Ex.R1 with a request to attend the meeting. Neither the wife, nor her elders attended the said meeting. PW.2 specifically deposed about the said fact. Nothing was elicited from him during cross-examination.

19. Thus, the aforesaid facts would reveal that there are strained relation between the appellant and the respondent. They are residing separately from 2005 onwards.

20. As discussed above, burden lies on the husband to plead and prove the grounds of 'cruelty' and 'desertion'. In the present case, he has pleaded and proved the said grounds as spoken to by him and PW.2. The wife herself admitted about lodging of the aforesaid complaint and filing of an application under Section - 12 of the Protection of Women from Domestic Violence Act.

21. It is the specific contention of the appellant - wife that she underwent abortion informing the same to the respondent - husband.

It is also her specific contention that she never deserted her husband and only due to his unbearable harassment she was compelled to live separately from him along with her children. The husband always used to harass her, both mentally and physically. She has also further stated that as there was no change in the attitude of her husband, she was compelled to place the matter before the community elders, who convened a meeting in the year 2002 at Hyderabad and found fault with the husband. They have also advised him to take his wife. But, she has not examined any of the said elders and she examined her maternal and paternal uncle.

22. It is also not in dispute that the husband studied up to SSC and the wife completed her graduation i.e., B.Sc. This is also a reason for differences between the parties. She admitted the said facts during her cross-examination. During cross-examination, she has admitted that her father used to stay in Dubai and that she used to stay with her mother. Since her father was staying in Abroad, she was having much attachment towards her mother. Whenever she has gone to Hyderabad unless her husband personally came and get her back to Nalgonda, she used to stay with her mother. Her husband used to abuse her and used to beat her. Therefore, she used to go to her mother. However, she

has not mentioned the said facts in her counter. She has also admitted that she left the company of her husband in February, 2005 due to his harassment and in March, 2005, caste elders came to her to mediate between her and her husband. On 13.03.2005 caste elders pacified and decided that she has to join her husband's company.

23. Though the wife alleged that her husband used to maintain illegal intimacy with an employee, namely Hyma, working in the said Digital Lab, she failed to prove the same. She has not examined any witness to the said effect and she has not filed any document to prove the same. In May, 2005, she along with her children joined her mother at Hyderabad on the ground that her husband quarreled with her and thrown her out. She has also admitted about her husband placing the matter before the Padmashali Sangam and that PW.2 issued notice i.e., Ex.R1. Though she has stated that she could not attend the said meeting in view of hospitalization of her son, she has not mentioned the said fact in her counter. She has admitted about her husband issuing legal notice in September, 2006. She gave reply, but she has not filed the same. She has not mentioned the said fact in the counter. She has also admitted about passing of Ex.P2 Award by the permanent Lok Adalat.

24. RWs.2 and 3, maternal and paternal uncles of the appellant - wife, deposed with regard to the respondent harassing the appellant. Both of them specifically deposed that the husband is financially sound person, he is having four (04) mulgies/shop at Clock Tower Centre, which is heart of Nalgonda Town in which he used to run a lab with approximate investment of Rs.50-60 lakh in the name of Usha Kiran Lab. They have not filed any document. RW.2 during cross-examination admitted that he does not know the details of immovable properties of the husband, and so also the investment made by him in the said lab. RW.3 also admitted with regard to the same. He has admitted about termination of pregnancy by the appellant - wife, but it is due to ill-health.

25. Once the parties have separated and the separation has continued for a sufficient length of time and one of them has presented a petition for divorce, it can well be presumed that the marriage has broken down. The court, no doubt, should seriously make an endeavour to reconcile the parties; yet, if it is found that the breakdown is irreparable, then divorce should not be withheld. The consequences of preservation in law of the unworkable marriage

which has long ceased to be effective are bound to be a source of greater misery for the parties.

26. Human mind is extremely complex and human behaviour is equally complicated. Similarly human ingenuity has no bound, therefore, to assimilate the entire human behaviour in one definition is almost impossible. What is cruelty in one case may not amount to cruelty in other case. The concept of cruelty differs from person to person depending upon his upbringing, level of sensitivity, educational, family and cultural background, financial position, social status, customs, traditions, religious beliefs, human values and their value system as observed by the Apex Court in **Samar Ghosh v. Jaya Ghosh¹**.

27. Matrimonial cases before the Courts pose a different challenge, quite unlike any other, as we are dealing with human relationships with its bundle of emotions, with all its faults and frailties. It is not possible in every case to pin point to an act of "cruelty" or blameworthy conduct of the spouse. The nature of relationship, the general behaviour of the parties towards each other, or long separation between the two are relevant factors which a Court

¹. (2007) 4 SCC 511

must take into consideration as observed by the Apex Court in **Rakesh Raman v. Smt. Kavita**².

28. Cruelty is a course or conduct of one, which is adversely affecting the other. The cruelty may be mental or physical, intentional or unintentional. The cruelty alleged may largely depend upon the type of life the parties are accustomed to or their economic and social conditions and their culture and human values which they attach importance. Each case has to be decided on its own merits as held by the Apex Court in **Naveen Kohli v. Neelu Kohli**³.

29. The appellant and the respondent were at loggerheads right from the inception of their marriage. The marriage never took off. Regardless of the subsistence of the marriage for the last twelve years, the couple was unable to patch up their differences. The marriage is virtually shattered and has become a lead wood. The allegations and counter allegations levelled against each other establish that there is no further chance of a reconciliation. The appellant has pleaded and proved specific instances of cruelty meted

² 2023 AIR (SC) 2144
³ (2006) 4 SCC 558

out on him by the respondent as held by the Apex Court in **Prabin Gopal v. Meghna**⁴.

30. Marriages are made in heaven. Both parties have crossed the point of no return. A workable solution is certainly not possible. Parties cannot at this stage reconcile themselves and live together forgetting their past as a bad dream. We, therefore, have no other option except to allow the appeal and set aside the judgment of the High Court and affirming the order of the Family Court granting decree for divorce as held by the Apex Court in **Durga Prasanna Tripathy v. Arundhati Tripathy**⁵.

31. Cruelty is not defined in any statute. It is a course or conduct of one, which is adversely affecting the other. We have to consider the entire evidence and the allegations made by the husband, assess the same and come to a conclusion that the same amounts to cruelty or not.

32. Perusal of record would reveal that the respondent - husband had filed the aforesaid petition *vide* OP No.27 of 2009 in the year 2009. It was allowed on 30.01.2013. Assailing the said order,

⁴ MANU/KE/1505/2021

⁵ (2005) 7 SCC 353

appellant - wife preferred the present Appeal in the year 2014. The parties are staying separately from 2005 i.e., since last 20 years.

33. In **Naveen Kohli v. Neelu Kohli**⁶, the Apex Court held as follows:

“72. Once the parties have separated and the separation has continued for a sufficient length of time and one of them has presented a petition for divorce, it can well be presumed that the marriage has broken down. The court, no doubt, should seriously make an endeavour to reconcile the parties; yet, if it is found that the breakdown is irreparable, then divorce should not be withheld. The consequences of preservation in law of the unworkable marriage which has long ceased to be effective are bound to be a source of greater misery for the parties.

73. A law of divorce based mainly on fault is inadequate to deal with a broken marriage. Under the fault theory, guilt has to be proved; divorce courts are presented concrete instances of human behaviour as bring the institution of marriage into disrepute.

⁶. (2006) 4 SCC 558

74. We have been principally impressed by the consideration that once the marriage has broken down beyond repair, it would be unrealistic for the law not to take notice of that fact, and it would be harmful to society and injurious to the interests of the parties. Where there has been a long period of continuous separation, it may fairly be surmised that the matrimonial bond is beyond repair. The marriage becomes a fiction, though supported by a legal tie. By refusing to sever that tie the law in such cases do not serve the sanctity of marriage; on the contrary, it shows scant regard for the feelings and emotions of the parties.

75. Public interest demands not only that the married status should, as far as possible, as long as possible, and whenever possible, be maintained, but where a marriage has been wrecked beyond the hope of salvage, public interest lies in the recognition of that fact.

76. Since there is no acceptable way in which a spouse can be compelled to resume life with the consort, nothing is gained by trying to keep the parties tied for ever to a marriage that in fact has ceased to exist."

34. In view of the above discussion, it is revealed that there was strained relation between the appellant and the respondent. She

has made a serious allegation that the husband maintained illicit relation with his colleague, Hyma. It is not in dispute that both of them were living separately from May, 2005.

35. It is settled principle that neither Family Court nor this Court can grant decree of divorce on the ground of irretrievable break down of marriage, but certainly it is an aspect to be considered by this Court along with other aspects.

36. As discussed above, at the cost of repetition, despite *panchayats* and Ex.P2 - Award passed by Lok Adala, they are staying separately from May, 2005. On consideration of the said facts only, the learned Family Court granted decree of divorce *vide* impugned order. This Court stayed the said impugned order on 11.10.2013. As discussed above, both the appellant and the respondent are 46 and 56 years at present.

37. As discussed above, the appellant - wife and her children filed a petition under Section - 125 of Cr.P.C. against the respondent - husband seeking maintenance. *Vide* order dated 02.04.2009, learned Additional Metropolitan Sessions Judge for trial of Jubilee Hills Car Bomb Blast Case-cum-Additional Family Court-cum-XXIII

Additional Chief Judge, Hyderabad, ordered an amount of Rs.2,000/- (Rupees Two Thousand Only) per month to the wife, Rs.1,500/- (Rupees One Thousand and Five Hundred Only) per month each to the children. According to learned counsel, the respondent has been paying the said amount in compliance with the said order.

38. During the course of hearing, it is brought to the notice of this Court that their daughter, namely Ms. Sona Chandini, is suffering from Cancer and she is recovering. Even, husband is also suffering from cancer and he is on treatment. It is the contention of the appellant that she has been providing treatment to her daughter. It is the contention of the husband that he has also borne the expenditure for the treatment of his daughter. In the light of the same, we are of the considered view that there is no possibility of the appellant and the respondent living together and leading marital life happily. They are living separately from May, 2005. Though the appellant - wife contended that the respondent invested an amount of Rs.50-60 lakhs in establishing Usha Kiran Digital Colour Lab and he is owner of four (04) mulgies/shops at Clock Tower, Nalgonda Town, she has not filed any document to prove the same. On consideration of the said aspects

only, the learned Family Court granted decree of divorce *vide* impugned order and, there is no error in it. However, the trial Court did not grant any permanent alimony to the wife.

39. During the course of hearing, it is brought to the notice of this Court that the appellant - wife and her both children filed a suit *vide* O.S. No.253 of 2023 pending on the file of Junior Civil Judge, Nalgonda, for perpetual injunction and granted *interim* injunction. The same is subsisting. The suit schedule property in the said suit is house bearing Nos.1, 2 and 3 consists of 242 square yards in Survey No.77, situated at Marriguda Village and Mandal, Nalgonda District.

40. In the cause title of the OP, the husband has mentioned that the appellant herein was a private employee at the relevant point of time. Even in the cause title of the present appeal, she has mentioned that she is private employee, but there is no evidence on record with regard to the same. During cross-examination of wife, the husband did not elicit anything from her with regard to her employment and earning capacity. Admittedly, the appellant - wife brought up both the children. Their daughter is presently aged 23 years and she is suffering from cancer. The wife has to meet the said expenditure,

provide treatment and perform her marriage. The learned Family Court did not consider the said aspects and did not award any permanent alimony to the wife.

41. In the light of the aforesaid discussion, the impugned order dated 30.01.2013 in O.P. No.27 of 2009 passed by learned Judge, Family Court-cum-Additional District and Sessions Judge, Nalgonda, granting decree of divorce dissolving the marriage of the appellant with the respondent is confirmed, and we are of the opinion that the appellant - wife is entitled for an amount of Rs.30,00,000/- (Rupees Thirty Lakhs Only) towards permanent alimony from the respondent - husband which includes monthly maintenance awarded to them in the aforesaid MC. The same is towards full and final settlement of the claims of appellant - wife and her children. The respondent shall pay the said amount within two (02) months from today, failing which the appellant - wife is entitled to take steps in accordance with law. On receipt of the aforesaid amount, the appellant - wife and her children shall take all necessary steps to withdraw the aforesaid suit.

42. The present appeal is accordingly disposed of. In the circumstances of the case, there shall be no order as to costs.

As a sequel thereto, miscellaneous application , if any, pending
in the appeal case shall stand closed.

SIV - K. SRINIVASA RAO
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judge, Family Court-cum-Additional District and Sessions Judge, Nalgonda.
2. One CC to Sri Pasham Ravindra Reddy, Advocate [OP JC]
3. One CC to Sri J Suresh Babu, Advocate [OPUC]
4. Two CD Copies

ABK /Sa

lcp

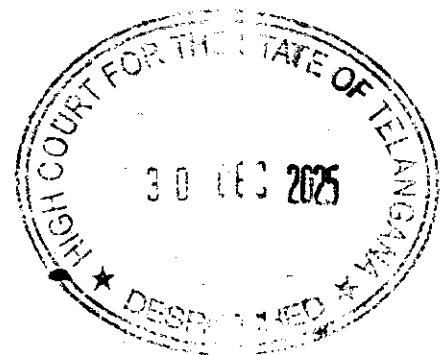
HIGH COURT

DATED: 17/11/2025

JUDGMENT

**I.A.No.1 of 2025
In/And**

FCA.No.4 of 2014



DISPOSING OF THE FCA

⑥

kpr
9/12/25

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**MONDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

**THE HONOURABLE SRI JUSTICE K.LAKSHMAN
AND
THE HONOURABLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY**

**I.A.No.1 of 2025
In/And
FAMILY COURT APPEAL (FCA) NO: 4 OF 2014**

Between:

Ravirala Madhavi, W/o Satyam, Aged 35 yrs, Occ: Private Employee, R/o H.No.7-1-307/15/A, G-2Floor, Ramya Enclave, Subhash Nagar, Sanathnagar, Hyderabad.

...Appellant

AND

Ravirala Satyam, S/o Yadagiri, Aged 42 yrs, Occ: Technician in Usha Kiran Digital Colour Lab, R/o Bottuguda Locality of Nalgonda Town and District.

...Respondent

Appeal under section 19 of Family Courts Act, 1984, aggrieved by the Decree and Order dated 30-01-2013 passed in O.P.No.27 of 2009 by the Judge, Family Court-cum-Additional District and Sessions Judge, Nalgonda.

ORDER: This appeal coming on for hearing and upon perusing the grounds of appeal, the Judgment and Decree of the Case and the material papers in the Case and upon hearing the arguments of Sri Pasham Ravindra Reddy, Advocate for the Appellant and of Sri J Suresh Babu, Advocate for the Respondent.

This Court doth Order and Decree as follows:

1. That the Family Court Appeal be and hereby is disposed of.
2. That the impugned order dated 30.01.2013 in O.P. No.27 of 2009 passed by learned Judge, Family Court-cum-Additional District and Sessions Judge, Nalgonda, granting decree of divorce dissolving the marriage of the appellant with the respondent is confirmed.
3. That the appellant - wife is entitled for an amount of Rs.30,00,000/- (Rupees Thirty Lakhs Only) towards permanent alimony from the

respondent -husband which includes monthly maintenance awarded to them in the aforesaid MC.

4. That the same is towards full and final settlement of the claims of appellant - wife and her children.
5. That the respondent shall pay the said amount within two (02) months from today, failing which the appellant wife is entitled to take steps in accordance with law.
6. That on receipt of the aforesaid amount, the appellant - wife and her children shall take all necessary steps to withdraw the aforesaid suit.
7. That there shall be no order as to costs in this appeal.

SD/- K. SRINIVASA RAO
JOINT REGISTRAR

(Signature)
//TRUE COPY//

SECTION OFFICER

To,

1. The Judge, Family Court-cum-Additional District and Sessions Judge, Nalgonda.
2. Two CD Copies

ABK /Sa

(Signature)

HIGH COURT

DATED: 17/11/2025

DECREE

I.A.No.1 of 2025

In/And

FCA.No.4 of 2014

DISPOSING OF THE FCA

④ fcpf
9/12/25