

IN THE SUPREME COURT OF SEYCHELLES

MARISE HUMPHREY

PETITIONER

VERSUS

MAURICE HUMPHREY

RESPONDENT

Divorce Side No 139 of 2004

Miss Karen Domingue Attorney at Law for the Petitioner

JUDGMENT

Perera J

The petitioner seeks a dissolution of her marriage on the ground that she and the respondent have lived apart for a continuous period of at least one year preceding the presentation of this petition and that the respondent consents to the grant of the divorce.

The parties were lawfully married on the 24th of December 1990 at Anse Aux Pins, Seychelles. They are domiciled in Seychelles, but are presently resident in England. There are no children born of the marriage.

The petitioner, in an affidavit dated 21st January 2005 avers that although she is resident in England, she has immovable properties in Seychelles, and that she has family and friends here with whom she intends to retain her personal, social and economic interests. In these circumstances, this Court has jurisdiction to entertain this petition pursuant to Section 3 of the Matrimonial Causes Act (Cap 124).

As the respondent has granted his consent to the grant of the divorce in a document notarially executed before a notary in the United Kingdom, the Court granted leave to learned counsel for the petitioner to make submissions based on the sworn averments in the petition. On a consideration of the submissions and other pleadings in the case, the Court is satisfied that the marriage has broken down irretrievably, and that there is now no hope of reconciliation.

Accordingly, the Court grants a conditional order of divorce. This order shall be made absolute after the expiry of six weeks from the date hereof.

A.R. PERERA

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JUDGE

Dated this 26th day of January 2005