

IN THE SUPREME COURT OF SEYCHELLES

MRS. ALINA JOANNA FREDERIC nee HENRIETTE

Petitioner

VS.

REMIE FREDERIC

Respondent

Divorce Side No. 37 of 2007

Mr. Dodin for the Petitioner

JUDGMENT

Gaswaga, J

The Petitioner in this matter, Mrs. Alina Frederic, has applied to this Court for the dissolution of her marriage with the Respondent, Mr. Remi Frederic on the ground that the marriage has irretrievably broken down because the Respondent has behaved in such a manner that the Petitioner cannot reasonably be expected to live with the Respondent.

In this action the Petitioner testified that she was lawfully married to the Respondent on the 14th April, 2001 at Victoria, Mahe, Seychelles as per Exhibit P1 being marriage certificate. There are no children born of the said marriage. The Petitioner is a Seychellois national, resident and domiciled in Seychelles and the Respondent is a Malagasy national. The Petitioner has categorically testified that all attempts at reconciliation have failed and that there have been no previous court proceedings in respect of this marriage. The Petitioner further avers that she has no contact with the

Respondent and has therefore been unable to locate him and serve him with this petition.

On the strength of the uncontroverted evidence adduced by the Petitioner in this matter, I am satisfied more than on a balance of probability that the marriage has irretrievably broken down with no possibility of reconciliation. I therefore find that it is just and necessary for the marriage to be dissolved.

Therefore, I hereby dissolve the marriage of the parties and grant a conditional order of divorce which will be made absolute according to law.

D. GASWAGA

JUDGE

Dated this 12th day of October, 2007.