

IN THE SUPREME COURT OF SEYCHELLES

MRS. MARIE ANGE MURRAY born DINE

Petitioner

VS.

MR. JAMES JOAN MURRAY

Respondent

Divorce Side No. 129 of 2007

Mr. Valabhji for the Petitioner

JUDGMENT

Gaswaga, J

The Petitioner in this matter, Mrs. Marie Ange Murray, has applied to this Court for the dissolution of her marriage with the Respondent, Mr. James Murray on the ground that the marriage has irretrievably broken down in that the parties have been living separate and apart for a continuous period of more than one year immediately preceeding the presentation of this petition and the Respondent consents to the grant of the divorce.

In this action the Petitioner testified that she was lawfully married to the Respondent on the 14th March, 1967 at the Civil Status office, Victoria, Mahe, Seychelles as per Exhibit P1 being marriage certificate. After the marriage the Petitioner and Respondent co-habited at Plaisance, Intendance, Belonie and Copolia. There are three children born of the said marriage namely Pascal Murray, Charles Murray and Michelle Murray and they are all of age. Both parties are Seychellois nationals, resident and domiciled in

Seychelles. The Petitioner has averred that she is a housewife residing at Lodge Street and the Respondent is a pensioner residing at Copolia. The Petitioner has further averred that all attempts at reconciliation have failed and that there have been no previous matrimonial proceedings in respect of this marriage in any court in Seychelles.

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 5th day of December, 2007.