

IN THE SUPREME COURT OF SEYCHELLES

SIMONE ALEXIS SAFFARANCE RADEGONDE born HONOR

Petitioner

VS.

FRANCOIS KEN RADEGONDE

Respondent

Divorce Side No. 103 of 2007

Mr. Juliette for the Petitioner

JUDGMENT

Gaswaga, J

The Petitioner in this matter, Mrs. Simone Ragedonge, has applied to this Court for the dissolution of her marriage with the Respondent, Mr. Francois Radegonde on the grounds that the parties have lived separate and apart for a continuous period of more than one year immediately preceding the presentation of this petition and that the Respondent has consented to the grant of the divorce. (See signed consent on record exhibited as P2)

In this action the Petitioner testified that she was lawfully married to the Respondent on the 15th February, 2003 in the United Kingdom as per Exhibit P1 being marriage certificate. That both parties are Seychellois nationals, resident and domiciled in Seychelles and that the parties co-habited in the United Kingdom after the marriage for six months and then moved to Seychelles. There are no children born of the said marriage

The Petitioner has categorically testified that there have been no previous proceedings in respect of this marriage in any court in Seychelles. The Petitioner has further testified that all attempts at reconciliation have failed and that the marriage has irretrievably broken down and all attempts of reconciliation have failed.

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 26th day of March, 2008.