

IN THE SUPREME COURT OF SEYCHELLES

MICHEL ROBERT KILINDO

PETITIONER

VERSUS

ESTHER MUTHONI KILINDO NEE NDUTA

RESPONDENTDivorce Side No 20 of 2010

Mr. S. Rajasundaram for the Petitioner

JUDGMENT**B. Renaud J**

On 3rd October, 2003 the Petitioner Michel Robert Kilindo of Anse Aux Pins, Mahe Seychelles, was married to the Respondent Esther Muthoni Kilindo born Nduta presently of Nairobi, Kenya.

The Petitioner is a Seychellois and the Respondent is a Kenyan and both parties subsequent to the marriage ordinarily reside and are domiciled in the Republic of Seychelles, while the Respondent left the Republic of Seychelles for Nairobi in the year 2008.

The parties, out of the marriage and cohabitation have got one child namely, Ivet Iryna Terin Kilindo born on 9th August, 2004.

There have been no previous proceedings in any Court of Seychelles in relation to this marriage.

The Petitioner averred that the marriage has irretrievably broken down on the ground that the Respondent deserted the Petitioner since the last more than one year and the Petitioner

and the Respondent have lived since separate and apart for a continuous period of over one year immediately preceding the presentation of this petition.

The Petitioner testified that all their attempts at reconciliation have not proved successful and there is now no possibility of reconciliation.

On the basis of the uncontroverted evidence of the Petitioner, it is my judgment that the marriage of the parties has broken down irretrievably and that there is now no possibility of reconciliation.

In the circumstances, I hereby dissolved the said marriage and grant a conditional order of divorce to be made absolute six weeks from today.

I make no order as to costs.

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B. RENAUD

JUDGE

Dated this 9th day of December 2010