

**IN THE SUPREME COURT OF SEYCHELLES**

**Civil Side: DC 24/2014**

**[2014] SCSC 175**

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**SANDRA PAMELA ALVES**

Petitioner

versus

**PAULO JORGE DOS SANTOS ALVES**

Respondent

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Heard: 19 May 2014  
Counsel: Mr. E. Chetty for petitioner  
Respondent – Absent

Delivered: 19 May 2014

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**JUDGMENT**

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Karunakaran J

[1] This is a petition for divorce. The Petitioner, Sandra Pamela Alves has applied to this Court for a dissolution of her marriage on the ground that the marriage has irretrievably broken down since the parties have lived apart for a period of more than one year immediately preceding the presentation of the petition and the Respondent has consented to the grant of divorce. The Respondent was duly served with a notice of the petition through his proxy in Seychelles. The proxy of the Respondent appeared in Court and

informed that the Respondent was not contesting the Petition. In the circumstances, the Court granted leave for the Petitioner to proceed with an ex parte in this matter.

- [2] The Petitioner testified that she was lawfully married to the Respondent in Seychelles on the 24<sup>th</sup> of June 2006 as per Exhibit P1. After the marriage the parties lived and cohabited in Seychelles. The Respondent is a Ship Captain and a Portuguese national presently residing in Portugal. The Petitioner is a Seychellois who has been permanently residing in Seychelles. The Petitioner categorically testified that the marriage has irretrievably broken down since the parties have lived apart for a continuous period of more than five years immediately preceding the presentation of the petition. She also produced a consent duly signed by the Respondent stating that the Respondent has no objection to the grant of divorce. There is no child born of the said marriage. There has been no previous Court proceeding in respect of the marriage in Seychelles or elsewhere. Moreover, the Petitioner testified that all attempts at reconciliation have failed. In the circumstances, the Petitioner seeks this Court for a dissolution of her marriage with the Respondent.
- [3] I carefully examined the evidence adduced by the Petitioner in this matter. I am satisfied more than on a balance of probabilities that the marriage in question has irretrievably broken down. I am equally satisfied that there is no possibility of reconciliation between the parties. Therefore, I find it just and necessary that the marriage should be dissolved. I do so accordingly.
- [4] WHEREFORE, I hereby dissolve the marriage of the parties and grant a conditional order of divorce, which may be made absolute after the expiry of six weeks from the date hereof.
- [5] The petition is granted accordingly. The file is closed.

Signed, dated and delivered at Ile du Port on 19 May 2014

D Karunakaran  
**Acting Chief Justice**