

SUPREME COURT OF SEYCHELLES

Reportable

[2021] SCSC 723

DC 32/2020

In the matter between:

LEONIE DESAUBIN NEE RAZARA
(Present / Represented by Mr John Renaud)

Petitioner

and

JONATHAS FELIX DESAUBIN
(Present / Represented by Mr Charles Lucas)

Respondent

Neutral Citation: *Desaubin vs Desaubin* (DC 32/2020) [2021] SCSC 723 (14 October 2021)

Before: G. Dodin, Judge

Summary: Divorce – uncontested – separation of more than 1 year – consent.

Heard: 14th October 2021

Delivered: 14th October 2021

JUDGMENT

G. DODIN, J

[1] The Petitioner Leonie Desaubin nee Razara a Malagasy national was married to the Respondent Jonathas, Felix Desaubin a Seychellois national, in Seychelles on the 3rd of October 2013.

[2] There is one child born of the marriage namely;

(i) Johan Johny Desaubin born on the 18th of February 2015.

[3] During the course of their marriage the parties have lived together at Anse Forbans, Takamaka, Mahe.

[4] For the duration of their marriage they have both been domiciled in Seychelles.

[5] And the Petitioner maintains that for a period of more than one year prior to the presentation of this petition they have been living separately and apart under separate household although in the same building.

[6] The Respondent has consented to the grant of the divorce and has indeed filed a consent maintaining that they have been living separately and apart for a period of more than one year prior to the presentation of this petition.

[7] There has been no other proceedings in any court in Seychelles or elsewhere.

[8] I have heard the uncontroverted evidence of the Petitioner. I am satisfied that the averments of the Petitioner are true and that there is no possibility of reconciliation between the parties.

[9] I therefore grant a Conditional Order of Divorce in favour of the Petitioner which Order shall be made absolute at the expiration of six weeks from today provided there is an Order of the Family Tribunal with respect to the maintenance and custody of the minor child Johan Johnny Desaubin.

Signed, dated and delivered at Ile du Port on 14th October 2021.

G. Dodin, J