

R. V. S. L. Annapurna

Vs

R. Saikumar

Civil Appeal No. 3532 of 1979

(O. Chinnappa Reddy, R. S. Sarkaria, V. R. Krishna Iyer, A. c. Gupta, R. S. Pathak JJ)

27.02.1980

JUDGMENT

KRISHNA IYER, J. -

1. A matrimonial embroglio between the two young persons who are parties before us, had led to more than one litigation. It has eventually reached the Supreme Court and we thought that such a case should not be driven to a bitter legal finish. On the other hand, every possible effort to restore the conjugal home and bring back harmony between husband and wife should be attempted. We are happy to note that in this essay, counsel for both sides, Shri Tarkunde and Dr. Chitale have helped us considerably, without reference to their appearance on behalf of any particular party. Indeed, it is largely due to their efforts and some amount of discussion, persuasion and suggestion from us that the two parties Annapurna and Saikumar have agreed to live together at Rajamundri in a separate house. They will live together for one month or more jointly like this and it is also understood and assumed on a trial basis that the parents or grandparents of both spouses will not for the time being visit them. Not that we are suggesting that parents or grandparents should not under any circumstance visit their children or grandchildren, but we are making an experiment in creating mutual confidence and in that endeavour even possible irritations and misapprehensions should not be allowed to vitiate the atmosphere. Solely on that basis and without casting any reflection on any person we have made the suggestion, which is acceptable to both sides. Therefore, within this provisional period of one month the husband and wife will live together, hopefully happily without their parents or grandparents visiting them during this spell.

2. It is likely that in the wear and tear of marital life some small friction or other may crop up and which may be exaggerated subjectively by one spouse or the other. In such situations, the wholesome counsel of some respected, elderly person will always be welcome as a healing balm. From this angle, the suggestion has come that a retired judge of the High Court of Andhra Pradesh, Shri Y. Venkateswara Rao be persuaded to make casual or occasional visits to the residence of the appellant and the respondent merely to enquire about their welfare and iron out any minor differences that may perhaps crop up. We hope there may not be any occasion for such a situation. A copy of this Order will be sent to Shri Y. Venkateswara Rao, retired Judge, with a request from the Court to help in the earnest effort of the court to strengthen the reconciliation process which has been set in motion by the consent of both sides agreeing to live together. The Court will certainly be thankful to Shri Venkateswara Rao for his good offices.

3. The husband, Shri Saikumar, will join his wife, Smt. Annapurna on or before March 15, 1980, by which time they will find out a house together for a happy habitation. This case will be adjourned to April 15, 1980 so that counsel on both sides may report to us how the matrimonial relations are

flourishing. We hope the employer of Shri Saikumar will help this sensitive experiment by permitting him to proceed on a short-term leave to enable him to live in Rajamundri as suggested in this judgment.

</html