

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MALINDI
DIVORCE CAUSE NO. 6 OF 2017

L W N.....PETITIONER

VERSUS

G N N.....RESPONDENT

JUDGEMENT

1. Through the Petition dated 3rd April, 2017 L W N, the Petitioner prays for a dissolution of her marriage to G N N, the Respondent. Her Petition is hinged on the grounds of cruelty, adultery and desertion. The Petition did not receive an answer.
2. The Petitioner testified as PW1 and adopted her witness statement dated 3rd April, 2017 which was filed together with the Petition.
3. The evidence placed before the court is that the Petitioner and the Respondent started cohabiting in Thika in 1988 before getting married under Kikuyu customary law. They were blessed with two issues. The marriage was later converted to a civil marriage through the office of the Registrar of Marriages in Nakuru in 1993.
4. The Petitioner's evidence can be summarized as persistent infection with sexually transmitted diseases by the Respondent; adultery with various women by the Respondent; denial of conjugal rights by the Respondent; and desertion of the matrimonial home by the Respondent.
5. The evidence adduced by the Petitioner was unchallenged. She thus established her stated grounds of divorce. It is evident that the marriage has irretrievably broken down and the only antidote to the Petitioner's marital woes is dissolution of her marriage to the Respondent. The Petition succeeds and the marriage between the Petitioner and the Respondent is dissolved. A decree shall issue accordingly. There is no order as to costs.

Dated, signed and delivered at Malindi this 19th day of April, 2018.

W. KORIR,

JUDGE OF THE HIGH COURT