



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**MILIMANI LAW COURTS**

**FAMILY DIVISION**

**DIVORCE CAUSE NO. 14 OF 2015**

**D M M.....PETITIONER**

**VERSUS**

**J M J.....RESPONDENT**

**JUDGMENT**

1. The petitioner and the respondent are Kenyans who got married on 13<sup>th</sup> January 2009 at the office of the Registrar of Marriages in Nairobi. The petitioner went to Finland to work as a nurse and was joined by the respondent in September 2009. In December 2011 the petitioner came to Kenya to visit his parents. When he returned in January 2012 he found that the respondent had taken all her belongings and left the matrimonial home. She had left no message. After three weeks he found that she was living with a Nigerian man in Finland. He tried to get in touch with her but she refused to meet him. In November 2014 she moved to the U.S.A. On 20<sup>th</sup> January 2015 he filed this petition seeking the dissolution of the marriage on the ground of desertion.
2. The respondent was served but did not file any answer. The petitioner's evidence was therefore not challenged. I accept the evidence.
3. On the ground of desertion, I order the dissolution of the marriage between the petitioner and the respondent. *Decree nisi* shall issue and shall become absolute after 30 days. The petitioner did not want the costs of the petition to be paid to him.

**DATED and DELIVERED this 18<sup>th</sup> day of September 2015.**

**A.O. MUCHELULE**

**JUDGE**