

**IN THE CIRCUIT COURT '2' ADENTAN SITTING BEFORE HER HONOUR
SEDINAM AWO BALOKAH (MS) THE PRESIDING JUDGE ON THE 6TH
DAY OF APRIL, 2023**

SUIT NO. C5/024/2023

TIME: 9:10 AM

**KINGSLEY KWAME ADZRAKU
PETITIONER
H/NO. 9 OLD ASHONGMAN
ACCRA**

VRS.

**PERPETUAL QUANTSON
H/NO. 9 OLD ASHONGMAN
ACCRA**

RESPONDENT

Parties

Petitioner present

Respondent absent

By Court – Judgment

The Petition for Divorce having been issued in this Court on the 3rd day of November 2022 and duly served on the Respondent personally on the same 3rd day of November 2022 is deemed duly brought to the notice of the Respondent.

Further to this, the Respondent after being served has not taken any step in the suit. She did not file an Entry of Appearance. Neither did she file an Answer to the Petition for Divorce. Even when a notice is set down the suit for hearing was served on her on the 17th day of November, 2022, the Respondent, still remain silent on the matter pending service of Witness Statement, Proposed Documentary Evidence, Court Notes and a Hearing Notice was effected on the Respondent personally on the 21st day of December, 2022.

Respondent still remain mute in the matter. The Court therefore, proceeded to hear the matter and determine the issues by the Petition for Divorce.

In answering the first issue of whether or not the Ordinance marriage of the parties has broken down beyond reconciliation, evidence on record established that the parties herein have irreconcilable differences. Reference is made to the Witness Statement of the Petitioner as well as **Exhibit 'A'** (Marriage Certificate) and **Exhibit B Series** (Series of Letters of church authorities requesting intervention).

Upon all the evidence on record and in light of **Section 2(1)(f) of the Matrimonial Causes Act, 1991 (Act 367)**, I find and hold that the Ordinance Marriage celebrated between the parties at the Prayer Center, Assemblies of God Church on the 22nd Day of September, 2022 has broken down beyond reconciliation.

The said marriage is hereby accordingly dissolved for the above reasons.

The second issue that requires determination is the custody of the second child of the parties, 14 year old, Aseye Adzraku. In determining this issue, reference is made to all relevant **Sections of the Children's Act 1998 (Act 560) as amended**. Further consideration is made on the fact that the Respondent has not indicated to the court her opposition to the Petitioner's claim of a grant of custody of Aseye Adzraku. In the circumstances and in the best interest of Aseye Adzraku, the court grants custody of the said child (14 years old) to the Petitioner herein. The Respondent is granted reasonable access to her.

The Parties shall provide all necessities of life, shelter and education for both their children forthwith and co-parent in peace for the sake of their 2 children.

I make no award as to cost.

The Registrar of this Court shall cancel the Marriage Certificate or its photocopy and issue the parties a Divorce Certificate thereafter.

(SGD)
H/H SEDINAM AWO BALOKAH
CIRCUIT COURT JUDGE