



**CIVIL COURT
(FAMILY SECTION)**

MR. JUSTICE ANTHONY G. VELLA

Sitting of Monday 3rd July 2023

APPLICATION number : 41/2023 AGV

**WAA – Venezuelan Pass number:
137026856**

- Vs-

**Dr Martin Matthew Farrugia and PL
Melissa Anastasi as deputy curator for
the absent MJA**

The Court;

Having seen the application of WAA , humbly submits and on oath confirms;

1. That the parties got married in the 6th October 2017 at Le Meridien, St Julian's. Their marriage was registered in the Maltese Public Registry, as results from the attached certificate, marked as Doc A.
2. That from this marriage, no children were born.
3. That the parties are legally separated through a consensual separation agreement published by the Notary Maria Aquilina, dated 12th March 2021, true copy the said separation deed is hereby attached and marked as Doc B.
4. That there are no issues regarding maintenance payable to one another as both parties have renounced to their respective right to receive or claim maintenance from each other (clause 5 of the separation contract).
5. That there is no reasonable prospect for reconciliation between the parties since besides the fact that the parties have been legally separated since March of the year 2021, the parties today have total, separate and independent life from one another.
6. That these facts satisfy all the requirements for the attainment of divorce in terms of Article 66 B of the Civil Code, Chapter 16 of laws of Malta.
7. That the applicant is hereby attaching his affidavit with this present application marked Doc C.

Therefore, the applicant humbly requests this Honourable Court to;

1. Pronounce the dissolution of the marriage between the parties, in terms of Article 66 A et seq of Chapter 16 of the Laws of Malta.
2. Order the Registrar of Courts so that in period stipulated by his Honorable Court, inform the Director of Public Registry, so that the same shall be registered in the Public Registry.

Having seen the reply filed in the Maltese language;

Il-Qorti rat ir-risposta tal-kuraturi deputati Dr. Martin Farrugia u PL Melissa Anastasi li permezz ta' digiet tal-24 ta' Frar 2023 gew mahtura biex jirraprezentaw lil assenti MJA , jecepixxu bil-qima, li huma fil-kwalita' taghhom ta' kuraturi deputati mhux prezentatment edotti mill-fatti li taw lok ghal din l-kawza, u ghaldaqstant jirriservaw illi jdahhlu eccezzjonijiet ulterjuri iktar 'il quddiem.

Salv eccezzjonijiet ulterjuri.

The Court, having seen that during the sitting of Monday 3rd July 2023, there appeared Dr Martin Matthew Farrugia who informed the Court, that he has still not succeeded in communicating with MJA , and that therefore there is no evidence to submit.

DECIDE:

Now, therefore, the Court;
Upholds the applicants' claim.

Declares the divorce of the marriage contracted between the parties
on the **6th October 2014**.

Orders the Registrar of Courts to inform within ten (10) days the
Director of the Public Registry to register the divorce in the Public
Registry.

Without costs.

Hon. Anthony Vella
Judge

Cettina Gauci- Dep Reg