



PETITION FOR NULLITY OF MARRIAGE

Form MP.2 (Rule 76.4 (I))

IN THE SUPREME COURT OF JUDICATURE OF JAMAICA

CLAIM NO.

THE PETITION OF (name of the Petitioner) SHOWS THAT:

1. The Petitioner (name of Petitioner) went through a ceremony of marriage on the.....day of (month and year) to (name of Respondent) at (place where ceremony was conducted) by (name of the marriage officer) a marriage officer of .
2. The Petitioner was born on the day of (month and year) at (state place of birth) and the Respondent was born on the day of (month and year) at (state place of birth).
3. The Petitioner or the Respondent is domiciled in Jamaica (state whether one or both is/are domiciled in Jamaica).
4. (If applicable) The Petitioner and the Respondent have lived as man and wife in Jamaica at (principal place of residence) (Or) The Petitioner and the Respondent lived at the following place(s) for the period of one year immediately prior to the date of presentation of the petition:

(state place of residence) (state date of commencement of residence at such place)
5. The Petitioner is a (state occupation) and lives at (state address) and the Respondent is a (state Occupation) and lives at (state address).
6. The following are the relevant children of the marriage:
(state name of child) (state child's date of birth)

(or)
There is no relevant child of the marriage. (as is appropriate)
7. To the knowledge of the Petitioner, the following are the particulars relating to a child (or children, if applicable) born to the Respondent during the marriage as a result of a union between the Respondent and a person other than the Petitioner:
(name of child) (date of birth of child) (address of child)

(or)
To the knowledge of the Petitioner, there is no child living at the date of the Petition born to the Respondent during the marriage as a result of a union between the Respondent and a person other than the Petitioner.
8. (Where appropriate - see rule 76.4(6)) The financial resources of the Petitioner are as follows:
(give particulars of Petitioner's financial resources)
9. (Where appropriate - see rule 76.4(6)) The financial resources of the Respondent are as follows:
(give particulars of Respondent's financial resources)
10. There is a dispute between the Petitioner and the Respondent as to whether a child [name and, if known, date of birth of child] is a child of the family. The nature of the dispute is that (briefly state nature of dispute)

(or)
There is no dispute between the Petitioner and the Respondent as to whether any child is a child of the family.

11 There have been proceedings in the (state court) with reference to (state whether to the marriage, the relevant child or children of the marriage and) or to property of either the Petitioner or the Respondent or both of them) as follows:

(state nature of proceedings)

(state the date and effect of any decree or order)

(in the case of proceedings with reference to the marriage, state whether there has been any resumption of cohabitation since the making of the decree or order)

12 The marriage is void because (set out the grounds for alleging that the marriage is void)

[See section 4 of the Matrimonial Causes Act, 1989]

13 The following are the facts being relied upon by the Petitioner in support of the claim that the marriage should be annulled:

(set out facts)

14 The Petitioner therefore seeks the following relief:

(Set out relief being claimed)

Note: Rule 76.4(5) permits the inclusion in the petition of claims for such matrimonial proceedings relief as is appropriate.

The following is the person to be served with this Petition and who is not under disability:

The Respondent

(name of Respondent)

(Address of Respondent)

I certify that the facts set out in the Petition are to the best of my knowledge, true.

Dated this day of , 20

Petitioner

Notice to the Respondent

See Rule 76.4(14) and the following notes served with this Petition.

This petition must be personally served unless otherwise by an order of the Court or permitted by rule 76.9 (service out of the jurisdiction).

Rule 76.11 sets out the procedure for responding to the claim and requires you to file an Acknowledgment of Service within [state number of days permitted] of being served with the Petition, if you wish to respond to the claim. An Acknowledgment of Service is Form MP 5 in the Matrimonial Proceedings Forms at Part 76 of the Civil Procedure Rules, 2002 as amended.

If you do not complete the form of Acknowledgment of Service and deliver or send it to the registry (address below) so that it is received [state number of days permitted] of being served with the Petition, the Petitioner will be entitled to proceed in default against you. **See Rule 76.12.**

The form of Acknowledgment of Service may be completed by you or an Attorney-at-Law acting for you. You should consider obtaining legal advice with regard to the claim contained in the Petition.

(SEAL)

The Registry is at The Supreme Court, Public Buildings, King Street, Kingston, telephone numbers (876) 922-8300-9, fax (876) 967-0669. The office is open between 9:00 a.m., and 4:00 p.m. Mondays to Thursdays and 9:00 a.m. to 3:00 p.m. on Fridays, except on Public Holiday.

The Petitioner's address for service is.../or is that of his/her Attorney-at-Law (specify the name and address of Petitioner's Attorney-at-Law or firm of Attorneys-at-Law as appropriate with telephone and fax numbers]

Filed by (specify name, address, telephone and fax numbers of the Attorney-at-Law or firm of Attorneys-at-Law filing the Petition).