

The **Single Petition for Divorce** is submitted when you are filing for separation alone. It is also known as a General Petition for Divorce.

Fill out the information in a very detailed, concise manner. Any item that is an untruth or cannot be understood will be rejected.

The **Single Petition** is an official template which contains the following information to be completed. It consists of a series of statements validating the following:

- 1** Personal Details
- 2** Details of Children
- 3** Reconciliation Efforts
- 4** Arrangements for Children
- 5** Reasoning for Divorce
- 6** Request for Divorce and conditions



All forms of **Divorce Petition** must be signed in front of the Commissioner of Oaths.

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Personal details

1. On the day of 20... the petitioner [petitioner's name] (NRIC No.: xxxx-xx-xxxx) was lawfully married to [respondent's name] (NRIC No.: xxxx-xx-xxxx) (hereinafter called the respondent) [state address whereby the marriage was registered].

This is evident by an extract of the Marriage Certificate numbered [certificate number], exhibited hereto and marked [e.g. 'A'].

Official template wording

This refers to the marriage certificate as a supporting document, marked in the top right corner.

2. The petitioner and the respondent have cohabited as husband and wife at [state the last address at which they have cohabited in Malaysia] [or the applicant and the respondent have not cohabited in Malaysia].

3. The petitioner is domiciled in Malaysia [or The petitioner is domiciled in and the respondent is domiciled in Malaysia] [or, where it is alleged that the court has jurisdiction based on wife's ordinary residence] The petitioner has [or The respondent has] [or The petitioner and the respondent have] been ordinarily resident in Malaysia throughout the period of two years ending with the date of the presentation of the petition [or as the case may be] [give details of the residence relied on including the addresses of places of residence during the two year period and the length of residence at each place] [or where it is alleged that the Court has jurisdiction based on the respondent's desertion] The petitioner has been deserted by the respondent from the day of 20... [or where it is alleged has the Court by jurisdiction based on the fact of the respondent's deportation from Malaysia] The respondent has been deported from Malaysia under [here state the law under which the order of deportation was made] and he was before the desertion or the deportation domiciled in Malaysia. The petitioner is a [state occupation] [and resides at].

Official template wording

These paragraphs refer to whether you and your partner are applicable to Malaysian law.

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Details of Children

4. There is [are] [no (or state number) child[ren] of the family now living] namely [state the full names (including surname) of each child, their gender and their date of birth or, if it be the case, that they are over 18 and in the case of each minor child over the age of 16, whether they are receiving instruction at an educational establishment or undergoing training for a trade, profession or vocation].
[If applicable] Certified copy[ies] of the birth certificate[s] is [are] exhibited hereto and marked [e.g. 'B' and 'C'].

Official template wording

Children includes your own natural born, or those adopted or accepted by you and your partner.

5. [In the case of a husband's petition] No other child now living has been born to the respondent during the marriage so far as is known to the petitioner [or in the case of a wife's petition] No other child now living has been born to the petitioner during the marriage [except (state the name of any such child and his date of birth, or if it be the case, that he is over 18)].

6. [Where there is a dispute whether a child is a child of the family] The petitioner alleges that the child is [not] a child of the family because [give full particulars of the facts relied on by the petitioner in support of his or her allegation that the child is or, as the case may be, is not, a child of the family].

7. There have been no previous proceedings in any court in Malaysia or elsewhere with reference to the marriage [or to any children of the family] [or between the petitioner and the respondent with reference to any property of either or both of them] [except (state the nature of the proceedings, the date and effect of any decree or order and, in the case of proceedings with reference to the marriage, whether there has been any resumption of cohabitation since the making of the decree or order)].

Official template wording

8. There are no proceedings continuing in any country outside Malaysia which are in respect of the marriage or are capable of affecting its validity or subsistence [except (give particulars of the proceedings, including the court in or tribunal or authority before which they were begun, the date when they were begun, the names of the parties, the date or expected date of any trial in the proceedings and such other facts as may be relevant to the question whether the proceedings on the petition should be stayed.)]

Official template wording

3 Reconciliation Efforts

9. The petitioner has made many several attempts for reconciliation with the respondent to resolve their matrimonial difficulties, including but not limited to the following:

This is evident by the Marriage Tribunal Declaration Certificate numbered [certificate number], exhibited hereto and marked [e.g. 'D'].

Official template wording

- My partner and I attended marriage coaching virtually with a coach for 5 sessions over 2 months. This was from the seventeenth of December, two thousand and twenty one to the twenty fifth of February, two thousand and twenty two.
- We both went to Marriage Tribunal, which eventually certified it could not reconcile the differences between ourselves.

4 Arrangements for Children

10. The following [or No] agreement or arrangement has been made or is proposed to be made between the parties for the support of the respondent [or the applicant] [and the said children] [namely (state details)].

Official template wording

11. [if applicable] A Statement as to Arrangements for Children in respect of those children of family who are either aged under 16, or aged under 18 and at school, college, or in training for a trade, profession or vocation is also attached herewith. [or No Statement as to Arrangements for Children is attached, because there are no children of the family, or no children of the family are either aged under 16 or aged under 18 and at school, college, or in training for a trade, profession or vocation.]

Official template wording

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Reasoning for Divorce

12. [In the case of petition for divorce alleging two years separation] The petitioner proposes, if a decree nisi is granted, to make the following financial provision for the respondent [give details of any proposal not mentioned in paragraph 10] [or The petitioner makes no proposals for financial provision for the respondent in the event of a decree nisi being granted].

13. [In the case of petition for divorce] The petitioner applies for a divorce on the ground that the marriage has broken down irretrievably.

14. The respondent has committed adultery with and the petitioner finds it intolerable to live with the respondent [or The respondent has behaved in such a way that the petitioner cannot reasonably be expected to live with the respondent] [or The respondent has deserted the applicant for a continuous period of at least two years immediately preceding the presentation of this petition] [or The parties to the marriage have lived apart for a continuous period of at least two years immediately preceding the presentation of this petition and the respondent consents to a decree being granted] [or, where the petition is not for divorce or judicial separation, set out the ground on which relief is sought, and in any case state with sufficient particularity the facts relied on but not the evidence by which they are to be proved].

Official template wording

Proof must be given that the grounds for Divorce are true.

- My partner admitted that she is having an affair with an office colleague on the first of February two thousand and twenty three.
- From that date until current, my partner sees this person two times per week, on Tuesdays and Thursdays at an work related indoor football event. It is held at FC Fusbball, Jalan Tempo, Taman Desa, Kuala Lumpur.

6 Request for Divorce and conditions

The petitioner therefore prays -

- (1) That the said marriage may be dissolved [or declared void] [or annulled] [or as the case may be].
- (2) [If you wish to claim costs from the respondent or co-respondent] That the respondent [or co-respondent] shall be be ordered to pay the costs of this suit.
- (3) [If you wish to make an application for ancillary relief] That the petitioner may be granted the following ancillary relief, namely [state particulars of any application for ancillary relief which it is intended to claim].
- (4) That the petitioner may be granted the custody of [state name(s) of child(ren)].

Official template wording

(5) [If you wish to make an application for ancillary relief in respect of children] That the following ancillary relief be granted for the children of family, namely [state name(s) of the child(ren) and particulars of any application for ancillary relief which it is intended to claim].

The name and addresses of the persons who are to be served with this petition are [give particulars, stating if any of them is a person under disability].

The petitioner's address for service is [Where the petitioner sues by a solicitor, state the solicitor's name or firm and address, or where the petitioner sues in person, state his place of residence as given in paragraph 3 of the petition or, if no place of residence in Malaysia is given, the address of a place in Malaysia at or to which documents for him may be delivered or sent].

Official template wording