127685 - He divorced her through the courts but that was during the period of purity following menses in which he had had intercourse with her; does she have the right to marry another man?

the question

I am a woman who asked for khula’ through the courts, and the matter dragged on for nearly 2 years. One day my husband and I met, and there happened between us what happens between a man and his wife. One week later he went to the court and divorced me (talaaq). I heard that one of the conditions of talaaq is that it should take place during the period of purity following menses and with no intercourse having taken place. Is my divorce valid and do I have the right to marry another man? May Allaah help you and reward you on our behalf with the best of rewards.

Detailed answer

Praise be to Allah.

Talaaq that takes place during the period of purity following menses in which the husband had intercourse with a wife is valid according to the majority of scholars, although some of them were of the view that it does not count. But as the divorce was done through the sharee’ah courts, it is a valid divorce and you have the right to remarry once the ‘iddah has ended. If you have any problems then refer to the sharee’ah court.

And Allaah knows best.