

Fatwa no. 10726

**Q: What is the Shar`y (Islamically lawful) way of Talaq (divorce pronounced by a husband)? If someone wants to divorce his wife, what should he do? What is the ruling on a person who divorces his wife during her Tuhr (period of ritual purity) after having intercourse with her?**

**A:** The Shar`y way of Talaq is as follows: A man divorces his wife one time when she is in her period of Tuhr without having had sexual intercourse with her, then he leaves her to complete her `Iddah (woman's prescribed waiting period after divorce) or deliver her baby if she is pregnant. Divorcing her during her period of Tuhr in which he has had sexual intercourse with her will be considered an innovated Talaq, which is not permissible. The same ruling applies to divorcing her during her menstrual or postpartum period.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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