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CMP(MD) No.7382 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Twelfth day of July Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CMP(MD) No.7382 of 2024

IN

CRP(MD) No.1999 of 2022

MOHAMED ALI,
REP THROUGH ITS POWER AGENT,
ABDUL KADHAR

... PETITIONER/PETITIONER

Vs

AYSHA SIDDHIKA BEGAM

... RESPONDENT/RESPONDENT

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an Interim order more in the nature of Interim Permission, permitting the petitioner herein/Mohamed Ali/Principal to visit and stay with the minor children (Ihshaam Shamsiya and Mohamed Hadim) for a period of 1 week (7 days) or any other time period as fixed by this Honourable Court, pending disposal of the main Civil Revision Petition.

Prayer in CRP(MD). 1999/ 2022 :

To set aside the fair and decretal order dated 06-08-2022 passed in I.A.No. 6 of 2021 in GWOP.No. 375 of 2021 before the Family Court, Tirunelveli by allowing this civil revision petition.

ORDER : This Civil Miscellaneous Petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.V.MEENAKSHI SUNDARAM, Advocate for the petitioner and of MR.K.P.NARAYANA KUMAR, Advocate on behalf of the Respondent, the court made the following order:-



CMP(MD) No.7382 of 2024

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Upon C.M.P(MD)No.7382 of 2024 moved by the learned Counsel appearing for the petitioner, this matter is taken up only for consideration of the civil miscellaneous petition alone.

2.While keeping the rights of the parties intact to be argued in the main civil revision petition, it is pleaded that the husband/petitioner has now come to India and he is again planning to leave the country for work on 18.07.2024 and therefore, he would like to visit his children.

3.The learned counsel appearing for the respondent/wife would submit that the children are now aged about 14 years and 12 years respectively and they are never interested in talking to the father or going out with the father.

4.The respondent/wife cannot be found fault with, if the children are not interacting with the father. Be that as it may. The children are now living with the mother and naturally, they will not be inclined to go with the father. Considering the extraordinary situation, this Court directs the respondent/wife to bring the children to the District Science Centre, Tirunelveli District, on 14.07.2024 at about 10.00 am and allow them to interact with the father up to 02.00 pm. It will be open for the petitioner to buy them lunch and give them whatever the gifts, except electronic gadgets.

5.It is made clear that even though the petitioner and the respondent are not



CMP(MD) No.7382 of 2024

getting along very well, in the best interest of the children, they should aid and facilitate the visitation and both of them shall refrain from talking about their marital differences in front of the children. The petitioner shall also generally interact with the children and not to insist them to come along with him or regarding the visitation rights. A similar session can be held once again on 17.07.2024 at the same venue in the same time. If the District Science Centre, Tirunelveli District, is closed on these days, the parties shall meet at the gate of the District Science Centre and decide where to take the children. It is made clear that only the petitioner and the respondent along with the children shall visit the said place.

6. Accordingly, this civil miscellaneous petition is ordered.

sd/-
12/07/2024

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12/07/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

THE JUDGE, FAMILY COURT, TIRUNELVELI.

COPY TO

THE OFFICER INCHARGE, DISTRICT SCIENCE CENTRE, TIRUNELVELI.

+1 CC to M/s.D.NALLATHAMBI, Advocate (SR-7873[I] dated 12/07/2024)

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CMP(MD) No.7382 of 2024

ORDER
IN
CMP(MD) No.7382 of 2024
IN
CRP(MD) No.1999 of 2022
Date :12/07/2024

RS//SAR-(12.07.2024) 4P 4C
Madurai Bench of Madras High Court is issuing
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