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C.R.P.No.2489 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

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THE HON'BLE Mr. JUSTICE P.B.BALAJI

C.R.P.No.2489 of 2025
and
C.M.P.Nos.14276 of 2025 and 14278 of 2025

Mohammed Eliyaz Shariff

...Petitioner

Vs.

Shafiya Begum

...Respondent

Prayer :- Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order passed in I.A.No.3 of 2023 in I.A.No.1 & 2 of 2020 in O.S.No.14 of 2019 dated 26.04.2023, on the file of the learned III Additional Family Judge, Chennai and allow this Civil Revision Petition.

For Petitioner : Mr.S.Madhusudanan

For Respondent : Mr.Poonamchopra



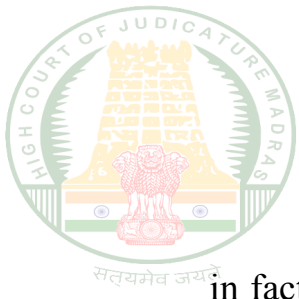
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ORDER

Heard the learned counsel for the petitioner and the learned counsel for the respondent.

2. It is brought to my notice by the learned counsel for the respondent that in view of the interim stay of the proceedings in restitution of conjugal rights and divorce, the said petitions which are on the verge of conclusion, have come to an grinding halt. It is the contention of the learned counsel for the petitioner that despite an order permitting the father to visit his child through Video Conferencing, the respondent has only attempted to defeat the said order has not obeyed the order of the III Additional Family Court, Chennai. According to the learned counsel for the petitioner, in view of the Covid- 19 pandemic, the petitioner did not chose to disturb the child and hence the delay in approaching this Court, challenging the order. I find that though the petitioner sought for modification of the interim visitation rights that was ordered in the year 2023 and an order also came to be passed on 26.04.2023, the same has been challenged only in 2025. After 2023, there was no reason for the petitioner to cite Covid – 19 pandemic as an excuse for not coming before this Court,

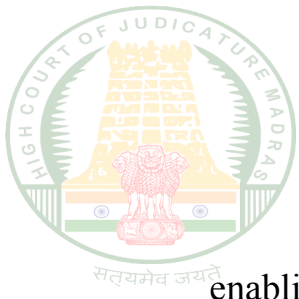


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in fact, I find from the order of the Family Court that the wife has taken all necessary steps to ensure compliance of the order passed, permitting the petitioner / husband to visit the child.

3. In view of the above, I am not inclined to interfere with the orders at this belated stage. It is brought to my notice that the matters are now posted before the Family Court on 26.08.2025 and in view of the disposal of the CRP, I direct the respondent / wife to bring the child to the Family Court tomorrow (26.08.2025) and the father shall have right to interact with the child in the Child Care Centre between 4.00 pm to 5.00 pm. The visitation shall be in presence of the officer incharge of the Child Welfare Centre, who shall file a report before the III Additional Family Court Judge, Chennai who shall take into account the said report. Liberty is given to the petitioner to seek for further modification in line with the interaction between the father and the minor child at the Family Court premises tomorrow (26.08.2025). The learned III Additional Family Court, Chennai is also at liberty in its discretion, subject to the report of the Child Welfare Officer, to direct the respondent / wife to bring the child for



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enabling the petitioner to exercise his visitation rights on future hearing dates, ensuing that it does not disturb the school timings of the child.

4. Considering the fact that the OPs are pending from 2019, the III Additional Family Judge, shall dispose of the OP by end of February 2026. The learned counsel for the respondent shall instruct the respondent / wife to bring the child, without insisting on the order of this Court, since it will not be uploaded in time.

5. This Civil Revision Petition is dismissed with the above directions. No costs. Consequently, connected Civil Miscellaneous Petitions are closed.

25.08.2025

Speaking/Non-speaking : Yes/No

Index : Yes / No

Internet : Yes / No

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To

The III Additional Family Judge, Chennai



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P.B.BALAJI. J.

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