APHC010576852026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3330]**
(Special Original Jurisdiction)

FRIDAY, THE 30th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

CIVIL REVISION PETITION NO: 3100/2026

Between:

1. SHAIK ARSHIYA PARVEEN, W/O. SHAIK ANWAR HUSSAIN,D/O. SHAIK ALLAH BAKASH, AGED 33 YEARS,OCC ASSISTANT MANAGER, ANDHRA PRAGATHI GRAMEENA BANK,PERMANENT ADDRESS D.NO.3-244, S.M. STREET,CHITVEL M ANNAMAYYA DISTRICTPRESENT ADDRESS D.NO. 14/706-3-

...PETITIONER

AND

1. SHAIK ANWAR HUSSAIN, S/o. Shaik Mahammed Ameer Rasool, aged 35 years,Occ Inspector Auditor Waqf under suspension.Present address D.No.58/384-22, Vidya Nagar Phase 1,SBI Colony, Kadapa, YSR District.Mobile No.9985373583

...RESPONDENT

Petition under Article 227 of the Constitution of India,praying that in the circumstances stated in the grounds filed herein,the High Court may be pleased toIt is therefore prayed that this Honble Court may be pleased to set aside the order dated 10.09.2026 passed in LA. No.319 of 2026 in G.W.O.P.No.01 of 2024 by the Honble VI Additional District and Sessions Judge,Kadapa and pass such other order or orders as this Hon Tile Court may deem fit and proper in the circumstances of the case.

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased suspend the order dated 10.09.2026 passed in I.A. No.319 of 2026 in G.W.O.P. No.01 of 2024 on the file of the Hon'ble VI Additional District and Sessions Judge, Kadapa, pending disposal of the main C.R.P.

Counsel for the Petitioner:

1. SHAIK MOHAMMED ISMAIL

Counsel for the Respondent:

1. SHAIK AFZAL MOHAMMED

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

CIVIL REVISION PETITION No.3100 OF 2026

ORDER:

The respondent herein filed G.W.O.P.No.1 of 2024 on the file of learned Family Court-cum-VI Additional District and Sessions Judge, Kadapa, under Section 12 of the Guardians and Wards Act, 1890 (hereinafter for short the 'Act'), seeking custody of his minor children.

2. The respondent herein has also filed I.A.No.50 of 2024 in the said G.W.O.P., seeking grant of visitation rights in respect to his minor children, Shaik Muhammed Nouman Hussain, aged about five years and Shaik Aiman Nida, aged about nine months, at the time of filing the aforesaid application.

3. The learned trial Court, *vide* order dated 27.10.2025, granted visitation rights to the respondent herein, to visit once in two months on every last Sunday of a month, commencing from December 2025 i.e., 28.12.2025 between 10.00 A.M. to 12.00 noon (two hours) at the residence of the petitioner - mother.

4. Aggrieved by the said order dated 27.10.2025, insofar as granting visitation rights for once in two months on every last Sunday of a month, the respondent herein preferred C.R.P.No.427 of 2026. This Court, *vide* order dated 14.07.2026, disposed of the said Civil Revision Petition, directing the respondent herein to raise all his objections before the learned trial Court in

I.A.No.319 of 2026, filed by him. The learned trial Court was further directed to consider and dispose of the said application in accordance with law, within a reasonable time.

5. Accordingly, the learned trial Court disposed of I.A.No.319 of 2026, *vide* order dated 10.09.2026, the relevant portion of which reads as follows:

> "…7.**Conditions of visitation**:
>
> (i) The applicant shall have visitation/access to the minor children on the first and third Sunday of every month from 10.00 a.m. to 4.00 p.m.
>
> (ii) The applicant shall collect the children from the respondent's house at 10.00 a.m. and shall return the children to the same place by 4.00 p.m. on the same day.
>
> (iii) The applicant shall give at least 48 hours' prior intimation to the respondent regarding the proposed exercise of visitation. Such prior intimation shall not be used by the respondent as a ground to unnecessarily deny or obstruct the visitation.
>
> (iv) The respondent shall make the minor children available at the stipulated time and place and shall not obstruct or interfere with the interaction between the applicant and the children.
>
> (v) The applicant shall return the children within the stipulated time and shall not remove the children permanently or otherwise retain the children beyond the period of visitation.
>
> (vi) Neither party shall make any derogatory, defamatory or adverse statement against the other parent in the presence or hearing of the minor children.
>
> (vii) Neither parent shall attempt to influence, tutor, intimidate or alienate the minor children against the other parent.
>
> (viii) During the period of visitation, the applicant shall ensure that the children education, health, safety and emotional well-being are duly protected.
>
> (ix) The applicant shall not take the minor children outside the Kadapa headquarter without the prior consent of the respondent or without further orders of this Court.

> (x) The applicant shall not hand over the custody of the children to any third person, except for reasonable assistance of close family members, without the consent of the respondent.
>
> (xi) The parties shall not use the minor children as a messenger or intermediary for communicating their disputes or demands to each other.
>
> (xii) The parties shall cooperate with each other in implementing the visitation arrangement. Any unavoidable difficulty shall be communicated to the other parent in advance.
>
> (xiii) The petitioner is permitted to pay the school fee directly to the account of concerned school authority and he cannot permitted to change the school in middle of academic year and also he permitted to provide cloths to his minor children. He cannot be permitted to attend parent - teacher meeting regularly for every month, since there are serious disputes in between petitioner and respondent…."

6. Now, the present Civil Revision Petition has been filed by the mother of the minor children seeking modification of the order dated 10.09.2026, to the extent of reducing the visitation hours from 10:00 a.m. to 1:00 p.m. on the ground that the respondent herein may not feed the minor daughter, who is aged about three years, at the appropriate time.

7. Learned counsel for the respondent would submit that the learned trial Court, while disposing of the application, permitted both the parties to approach the trial Court for appropriate modification of the visitation arrangement and hence, there is no need of interference by this Court. Learned counsel further submits that the petitioner is at liberty to file an appropriate application before the learned trial Court if it is found that if the respondent – father is unable to feed properly or look after the welfare of the children.

8. This Court is of the view that father, being the biological father, is entitled to spend some reasonable time with his children. However, considering the age of the minor children, this Court is inclined to reduce duration of visitation by one hour. Accordingly, the time for visitation rights is modified as 9:00 a.m to 2:00 p.m.

9. With the above observation, the Civil Revision Petition is disposed of. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions pending, if any shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 30.10.2026

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

CIVIL REVISION PETITION No.3100 of 2026

Date: 30.10.2026

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