

WEB COPY



C.R.P.(MD)No.2575 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.06.2026**
CORAM

THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

C.R.P.(MD)No.2575 of 2025
and
C.M.P.(MD)No.4161 of 2026

1.Minor *****

2.Minor *****

Both are represented by their maternal grandmother,
Kanees Fatima Begam

... Petitioners

vs.

Kamaludeen

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order of return dated 02.07.2025 in unnumbered O.P. of 2025 (Filing Number: OS/15/2025.CNR No.TNTP140000192025) on the file of the Family Court, Tiruchirappalli and direct the Ld.Family Court to number the same and to decide it in accordance with law.

For Petitioners : Mr.P.Sujai Krishana

For Respondent : Mr.V.Aishiev

ORDER

Heard Mr.P.Sujai Krishna for the Civil Revision Petitioners and
Mr.V.Aishiev for the Respondent.



C.R.P.(MD)No.2575 of 2025

2. This Civil Revision Petition arises against the order passed by the learned Family Judge, Tiruchirappalli, in not taking on file the application filed under Section 7 of the Family Courts Act seeking guardianship.

3. The petitioner is the grandmother and the respondent is the father. The petitioner's daughter, viz., Rilwana Parveen, and the respondent entered into a contract of marriage on 04.04.2012. From the wedlock, one girl was born on 13.01.2013 and one boy was born on 01.08.2016. Unfortunately, Rilwana Parveen passed away on 17.02.2023. Due to disputes that arose between the parties, the two children are in the custody of their grandparents. The respondent/husband initiated G.W.O.P.No.735 of 2024 on the file of the Family Court at Tiruchirappalli.

4. When the revision came up for admission before this Court, I issued notice to the respondent/father. On the next date of hearing, Mr.Harshad, representing the respondent/father, reported that the father is willing to maintain the children. He expressed a grievance that the grandmother is not permitting him to spend quality time with the children. Noticing that the children are of tender age, and since it is the duty of this Court under Section 9 of the Family Courts Act and as this Court is exercising *parens patriae* jurisdiction over infants and



C.R.P.(MD)No.2575 of 2025

persons similarly situated, I called upon the grandmother, viz., Mrs.Kanees Fatima Begam, and the respondent, viz., Kamaludeen, to be present in Court. I interacted with both of them. The issues between the parties did not loom large, but were resolvable. Hence, initially, I granted visitation rights to Mr.Kamaludeen to visit his minor children at the residence of Mrs.Kanees Fatima Begam at all reasonable hours. Mrs.Kanees Fatima Begam reported that, with great difficulty and assistance from her son, she is educating the children. An arrangement was made calling upon Mr. Kamaludeen to pay the fees for the children's education. This order was passed on 29.04.2026.

5. The matter was posted to 09.06.2026. On that day, both parties appeared and reported that the father had exercised the visitation rights and had expressed his desire to take the children to various places of interest. While the son willingly accompanied the father, there was some hesitation on the part of the daughter. Mrs.Kanees Fatima Begam was requested to encourage the children to spend time with the father. The father was permitted to take custody of the children on 13.06.2026 and 14.06.2026 at about 10.00 a.m. and return the children by 1.00 p.m at Mrs.Kanees Fatima Begam's residence.



C.R.P.(MD)No.2575 of 2025

6. When I called the matter today, both parties stated that the father had, in fact, taken the children out and spent some enjoyable moments with them.

7. Mr.Ashiev, representing the respondent/father, reports that the father has paid the fees on 15.06.2026. Mr.B.Sujai Krishna, reports that he will hand over the original receipts to the father, so as to enable him to claim whatever benefits are available to him under law.

8. Yet again, today, I interacted with both the parties and a broad consensus has been arrived at. They are:

(i) The father will pay a sum of Rs.5,000/- (Rupees Five Thousand only) per month to each of his children, in all Rs.10,000/- (Rupees Ten Thousand only).

(ii) The father will be entitled to visit the children on working days at the residence of Mrs. Kanees Fatima Begam.

(iii) The father will be entitled to take custody of the children at about 10.00 a.m. on every Saturday, in case it is a non-working day, or at 4.00 p.m. in case it is a working day. He shall spend about three hours with the children and return them to the custody of the grandmother thereafter, in case it is a holiday, or by 7.00 p.m., in



C.R.P.(MD)No.2575 of 2025

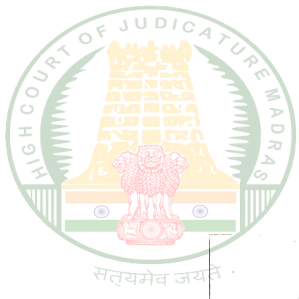
case it is a working day. This arrangement shall continue on Sundays also. The father can take custody of the children at 10.00 a.m. and shall return them to the custody of the grandmother by 2.00 p.m.

(iv) The parties, being Muslims, have very few occasions on which the father and the children can spend time together. There are four important occasions for Muslims, viz., Bakrid, Ramzan, Milad-un-Nabi and Muharram. The grandmother states that it is only Bakrid and Ramzan that are celebrated with great fervour in the family. Hence, for the ensuing year, the children shall spend Bakrid with the grandmother and Ramzan with the father, and the arrangement shall be rotated in the following year.

(v) The father shall bear whatever school fees are payable towards the education of the children. As a parent, he shall be entitled to attend any meeting in the school, where the presence of a parent is required, including parent-teacher meetings. If the grandmother so requires, she may also accompany the children for such meetings.

(vi) In the event of any change in circumstances, both parties, this being a guardianship petition, shall be entitled to file an application for modification before this Court.

9. In terms of the aforesaid directions, the parties have entered into a Memo of Compromise. Both the parties appeared before this Court and agreed to all the terms of the compromise. The terms of the compromise are scanned and extracted hereunder:



C.R.P.(MD)No.2575 of 2025

WEB COPY

--1--

**IN THE HIGH COURT OF JUDICATURE AT MADRAS
MADURAI BENCH
(Appellate Jurisdiction)**

C.R.P.(MD).No. 2575 of 2025

1. Minor. Nooril Wajeeha,
D/o.Kamaludeen,
2. Minor. Hussai Ahmad,
S/o.Kamaludeen

Both are represented by their maternal grandmother
Kanees Fatima Begam (55/2025)
W/o.Abdul Khader,
D.No.22, Anna Nagar, 4th Street,
L.S.P.Colony, Kajamalai,
Thiruchirapalli. ... Petitioners

--VS--

Kamaludeen (36/2025)
S/o.Maideen Pitchai,
No.12/1, Kilamman Kovil,
1st Street, Kurukku Sandhu,
L.S.P.Colony, Kajamalai,
Thiruchirapalli. ... Respondents

**JOINT MEMO FILED BY THE REPRESENTING
PETITIONER AND RESPONDENT**

1. It is agreed by the respondent to pay a sum of Rs.5000/-
per month to each minor children namely Minor.Noorul
Wajeeha, Minor. Hussai Ahmad as a maintenance.

சுமர் 5000 ரூபாய் மீது

Ms. kamaludeen



WEB COPY



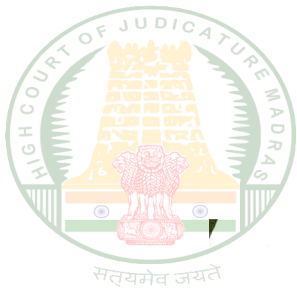
C.R.P.(MD)No.2575 of 2025

-2-

2. The respondent shall visit the house of the petitioners on every working day and the grandmother of the petitioners namely Kanees Fatima has no objection for the same.
3. The respondent father shall take the two minor children outing on all Saturdays at 10.00 am., and drop by 2.00pm., in case of holidays and in case of working days father can pick the children by 4:00pm., and drop by 7.00pm.,
M. Kamaladevi
4. The respondent father shall take two minor children outing on all Sundays at 10.00 am., and drop by 2.00pm.,
5. It is agreed by both the parties that during the festival seasons like Ramzan and Bakrid two minor children shall spend time with their father. It is agreed that this year 2026 since the festivals were already over and they spend with their grandmother, in 2027 Ramzan the children will be spending time with their father. On Bakrid, 2027 the children will be spending time with their grandmother and it is agreed between parties that it will be rotate in upcoming years alternatively.
6. It is agreed by the respondent father that, the school fees for the both children will be paid by the father and the

M. Kamaladevi

M. Kamaladevi



C.R.P.(MD)No.2575 of 2025

--3--

WEB COPY

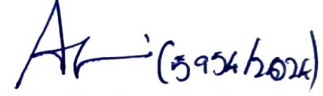
original receipts for the school fees shall be handed over to the father. It is also agreed that, the respondent father shall be entitled to attend all the meetings in the school and it is also agreed that the grandmother also can accompany with the children.

7. It is also agreed by the grandmother that she will not object to the children if they were willing to move with their father in future.

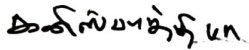
Dated at Madurai, on this the 17th day of June, 2026



Counsel for the Petitioner



Counsel for Respondent



Petitioner



Respondent



C.R.P.(MD)No.2575 of 2025

WEB COPY

10. In view of the above, the **Civil Revision Petition and G.W.O.P.No.735 of 2024 shall be disposed** of in terms of the compromise recorded in this order. The compromise shall form a part of this order.

11. Insofar as the dispute with respect to the jewels is concerned, it is left open to the parties to agitate the same in an independent suit. It is made clear that in the event of any change in circumstances, both parties, this being a guardianship petition, shall be entitled to file an application for modification before this Court.

There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

17.06.2026

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Nsr

To:

The Family Court, Tiruchirappalli.



WEB COPY



C.R.P.(MD)No.2575 of 2025

V.LAKSHMINARAYANAN, J.

Nsr

C.R.P.(MD)No.2575 of 2025

17.06.2026