

O.P.No.209 of 2014**R.SUBBIAH, J**

This petition has been filed under Section 41(6) of the Juvenile Justice (Care and Protection of Children) Act 2000 (as amended by Act 33 of 2006) read with Clause 17 of the Letters Patent to appoint the petitioners as adoptive parents of the person of minor Sriram Babu.

2. The case of the petitioners in brief is as follows:-

(a) The St. Thomas Mount Babies Home is one of the activities of the Society of Holy Apostles Convent and it was established in the year 1901 for the very purpose of looking after the destitute and abandoned children and provides them with a Home and residential accommodation. The Holy Apostles Convent has been registered under the Juvenile Justice Act under proceedings in Roc.No.9861/CW-2/2010 dated 19.12.2011 and the said recognition is valid till 30.12.2014.

(b) The male child Sriram Babu, said to have been born on 03.01.2005, was left abandoned at Sheela Clinic, Coimbatore by his mother Kuppammal. The said clinic transferred the baby to

Missionaries of Charity, Coimbatore on 28.05.2005. Subsequently, he was transferred to several Homes and finally he was transferred to Adoption Unit and Foundling Home, a unit of the Guild of Service (C) on 11.03.2011. The said Home filed a petition before the Child Welfare Committee, Chennai for declaring the child as an abandoned minor legally free for adoption and accordingly by order dated 20.04.2012, the Committee declared the minor as an abandoned child free for adoption. The Director of Social Welfare, Chintadripet, Chennai, by order dated 19.11.2013, directed the Guild of Service (Adoption Unit) to transfer the child to Holy Apostles Convent, St. Thomas Mount, Chennai-16. Accordingly, the child was transferred to Holy Apostles Convent along with nine other children.

(c) The petitioners got married on 07.07.1996. They have no children. Therefore, they have decided to go in for adoption. They are hale and healthy and do not suffer from any disease or infirmities. The first petitioner is working as a Special Assistant in State Bank of India, HRMS Department, Centralized Clearing Processing Centre (CCPC), Royapettah Branch, Chennai and his monthly gross salary is Rs.65,268.52. The second petitioner is a house wife. They own a

house in Thuraipakkam, Chennai – 96 and gold worth about Rs.8,40,000/- and they are affluent and financially stable. The Social worker of St. Thomas Mount Babies Home, in her Home Study Report dated 26.01.2014, has declared the petitioners as fit and proper persons to adopt the minor. The petitioners were having physical custody of the minor Sriram Babu since 12.03.2014 in view of eventual adoption according to their religious rites and customs. The said minor will be given proper education and a good upbringing with rights of succession and inheritance.

3. Heard the learned counsel appearing for the petitioners.

4. The first petitioner examined himself as P.W.1. In his evidence, he has reiterated what are all stated in the petition. While deposing, he marked 7 documents as Exs.P1 to P7. Ex.P1 is the original home study report dated 26.01.2014. Ex.P2 series (2 nos) are the photocopies of the secondary school leaving certificate of the first petitioner bearing No.05154 dated 01.11.1976 and the secondary school cumulative record of the second petitioner dated 12.07.1983. Ex.P3 is the wedding invitation card for the marriage between the first

petitioner and the second petitioner, which took place on 07.07.1996. Ex.P4 series (2 nos) are the original health certificates in respect of the petitioners dated 12.01.2014. Ex.P5 is the original pay-in slip of the first petitioner for the month of January, 2014 along with statement of financial status of the petitioners as on 31.01.2014. Ex.P6 is the original declaration of willingness of the petitioners for their appointment as adoptive parents for the minor Sriram Babu. Ex.P7 series (3 nos) are the original recommendation letters dated 17.01.2014.

5. The Secretary of Holy Apostles Convent and Superintendent of St.Thomas Mount Babies Home, was examined as P.W.2 and while deposing, P.W.2 marked 5 documents as Exs.P8 to Ex.P12. Ex.P.8 is the photocopy of the order of Child Welfare Committee, Chennai dated 20.04.2014 regarding transfer of child Babu to Guild of Service Foundling Home, Chennai. Ex.P9 is the photocopy of Child Transfer Order passed by Director of Social Welfare Committee, Government of Tamil Nadu for transfer of the child from Guild of Service to Holy Apostles Convent. Ex.P10 is the photocopy of the letter of transfer of child dated 29.11.2013 issued by Guild of Services Adoption Unit.

Ex.P11 is the original child study report along with medical reports in respect of the child Babu dated 20.02.2014. Ex.P12 is the photograph of the minor Sriram Babu along with Compact Diskette. Ex.P13 is the photocopy of certificate of Registration of Holy Apostle's Convent, St. Thomas Mount, Chennai dated 19.12.2011.

6.P.W.2 had given evidence to the effect that adoption of the child concerned in this case by the petitioners would be in the best interest and welfare of the minor child itself.

7.The materials placed before this Court definitely show that the minor child is an abandoned child and his welfare definitely deserves the petitioners being appointed as adoptive parents and being given to them as their adoptive child. I am satisfied that it will be most beneficial to the minor child, if the petitioners are appointed as the adoptive parents.

8. Accordingly, this original petition is ordered as prayed for and the petitioners are hereby appointed as adoptive parents of the minor child Sriram Babu, whose photograph is duly attested and

annexed hereto, as per Section 41(6) of the Juvenile Justice Act of 2000 as amended by Act 33 of 2006 and the minor child Sriram Babu is entitled to the legal status of a biological child with all the rights of succession and inheritance.

31.01.2015

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R.SUBBIAH, J

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