

O.P.No.478 of 2015**K.RAVICHANDRABAABU.,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 Andriyaa.

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

(a) The first petitioner is working as a driver in a company called Sri Ganapathy Transports, situate at 25/11, Metha Nagar Main Road, Metha Nagar, Chennai-29 on a monthly salary of Rs.15,000/- and the 2nd petitioner is an administrative staff working in Stella Maris College, Cathedral Road, Chennai-86 and her month salary is Rs.10,550/-. The petitioners have a plot of land in Red Hills, Chennai worth about Rs.10 lakhs and they have movables worth about Rs.8,30,000/-. The petitioners are financially stable. The petitioners got married on 15.05.2005 and have no children and they are hale and healthy and do not suffer from any disease or infirmities.

(b) The petitioners approached St.Thomas Mount Babies Home for a child for adoption. The said Home is registered under the Juvenile Justice Act under Proc.Roc.No.2008/CW-4/2012 dated 05.02.2015 and

the said recognition is valid till 04.02.2020. The said Home has consented to give a female child named Andriyaa to the petitioners. The minor child was said to be born on 12.01.2014 and was found abandoned on 03.02.2014 in the Gingee Government Hospital, Villupuram. The minor child is now 1 year and 5 months old. The minor child was declared as an abandoned child legally free for adoption by the Child Welfare Committee by its order dated 05.06.2015 in D.C.C.P.No.12/2015. The petitioners have also given their consent and willingness to adopt the child Andriyaa.

3. Heard the learned counsel appearing for the petitioners.

4. The first petitioner has examined himself as P.W.1. In his evidence, he has reiterated what are all stated in the petition and marked 7 documents as Exs.P1 to P7. Ex.P1 is the original Home Study Report of the petitioners dated 21.10.2014. Ex.P2 series (2 nos.) are the photocopies of the Higher Secondary School Mark Sheet of the 1st petitioner dated 21.05.1993 and the Transfer cum Conduct Certificate dated 09.05.2002 of the 2nd petitioner as proof of the date of birth of the 2nd petitioner. Ex.P3 is the original marriage certificate dated 28.10.2014. Ex.P4 series (2 nos.) are the original health certificates in respect of both the petitioners, both dated 27.10.2014. Ex.P5 series (2

nos.) are the original salary certificates of the petitioners dated 05.09.2014. Ex.P6 is the consent and willingness dated 13.06.2015 given by the petitioners. Ex.P7 series (3 nos) are the original Recommendation Letters dated 13.11.2014.

5. Mrs.Thresiamma, the Secretary of the Holy Apostles Convent and the Superintendent of the St.Thomas Munt Babies Home was examined as P.W.2 and 5 documents were marked as Ex.P8 to P.12. Ex.P8 is the photocopy of Letter of transfer dated 03.02.2014 by the District Social Welfare officer to the Holy Apostles Convent. Ex.P9 is the photo coy of CWC Order dated 05.06.2015. Ex.P10 series, are the original Child Study and Medical Reports dated 13.06.2015 in respect of minor child Andriyaa. Ex.P11 is the photograph of minor child Andriyaa along with C.D. Ex.P12 is the photocopy Certificate of Registration under J.J.Act dated 05.02.2015 given to Holy Apostles Convent, St.Thomas munt, Chennai.

6. The materials placed before this Court definitely show that the minor child is an abandoned child and her 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

guardians.

7. Accordingly, this original petition is ordered as prayed for and the petitioners are hereby appointed as adoptive parents of the minor child Andriyaa, as per Section 41(6) of the Juvenile Justice Act of 2000 as amended by Act 33 of 2006 and the minor child Andriyaa is entitled to the legal status of a biological child with all the rights of succession and inheritance and the date of birth of the minor Andriyaa is declared as 12.01.2014.

05.08.2015

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DATED: 05.08.2015