

O.P.No.423 of 2016**M.M.SUNDRESH, 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 Puneet.

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 Proc. Roc.No.2008/CW-4/2012 dated 05.02.2015 and the said recognition is valid till 04.02.2020.

(b) A male child, said to be born on 18.08.2015, was found abandoned under the bus conductor's seat in bus No.515-J in the Tambaram to Mahabalipuram and the child was admitted in Government Medical College Hospital at Chengalpattu. The District Social Welfare Officer, Villupuram, by letter dated 25.08.2015, directed the hospital to hand over the Child to the Holy Apostles Convent, St. Thomas Mount, Chennai-16 and accordingly, the child was transferred

to the said Home. The child was named Tamilarasan by the Child Welfare Committee, Chengalpattu. The child was declared as an abandoned child and legally free for adoption by the Child Welfare Committee, Chengalpattu by its order in D.C.C.P. No.581/2016 dated 12.04.2016.

(c) The petitioners got married on 15.05.2002. 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 having pawn shop and he is a joint proprietor of the shop along with his brother. He is also doing Mobile Recharge separately. The second petitioner is House Wife and she gets income by way of interest from the Investments made by her to various persons and companies. The petitioners annual income is Rs.5,00,000/-. The petitioners have movable properties and they are financially stable. The petitioners are affluent and have sufficient means to bring up, maintain and educate the minor after adoption. The petitioners registered with CARA – Delhi Online for a child for adoption and they were directed to approach the adoption agency named Bala Mandir Kamaraj Trust (Regd.) situate at No.8, (Old No.12689), G.N. Chetty Road, T.Nagar, Chennai - 600 017 for preparation of a Home Study Report. The Home Study Report has

been approved by CARA and the petitioners approached the St.Thomas Mount Babies Home on 19.05.2016. The petitioners gave their consent and willingness on 16.05.2016 and renamed the child as Puneet. The petitioners were having physical custody of the minor Puneet since 26.05.2016 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 9 documents as Exs.P1 to P9. Ex.P1 is the original home study report dated 20.10.2015. Ex.P2 is the attested copy of the Secondary School Leaving Certificate of the first petitioner. Ex.P3 is the True Extract of Hindu Marriage Register kept by the Marriage Registrar Office, Annanagar of the first and second petitioners dated 29.01.2015. Ex.P4 series are the original health certificates dated 23.03.2016 in respect of the petitioners. Ex.P5 series are the original income tax return verification form for the Assessment year 2014-15 and the statement of Assessment for the year Assessment year 2015-2016. Ex.P6 series are the recommendation letters dated 18.05.2016 and 20.05.2016. Ex.P7 series are the photocopy of the

petitioners Aadhar Card. Ex.P8 series are the photocopy of the PAN Card of the petitioners. Ex.P9 is the declaration of willingness signed by the first and second petitioners, consenting to be the adoptive parents of the minor child Puneet.

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.P10 to Ex.P14. Ex.P10 is the photocopy of the letter of transfer of the minor to Holy Apostles Convent dated 25.08.2015. Ex.P11 is the photocopy of CWC order dated 19.05.2016. Ex.P12 is the original child study and medical report dated 24.04.2016. Ex.P13 is the photograph of the minor child Puneet along with Compact Disk. Ex.P14 is the photocopy of certificate of registration under Juvenile Justice Act dated 05.02.2015.

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 Puneet, 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 Puneet is entitled to the legal status of a biological child with all the rights of succession and inheritance.

01.08.2016

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