

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS GENERAL & INHERENT JURISDICTION**

**INDIAN ADOPTION PETITION NO. 24 OF 2019
WITH
JUDGE'S ORDER NO. 75 OF 2019
IN
INDIAN ADOPTION PETITION NO. 24 OF 2019**

St. Catherine's Home ..Petitioner/Applicant
V/s.

1) Ramesh Venkatesan)
2) Aruna Ananthakrishnan) ..Proposed Adopters

Mr.Rakesh Kapoor for petitioner.
Mr.O.Hareendran, Scrutiny officer of ICSW present.
Proposed Adopters Mr. Ramesh Venkatesan and Aruna
Ananthakrishnan present.

**CORAM : ANUJA PRABHUDESSAI, J.
DATED : 2ND MAY, 2019**

P.C.:-

1. This petition is for adoption of a male minor “Hriday” born on 26/09/2018. .his biological mother had surrendered him before the Child Welfare Committee, Mumbai Suburban District on 01/10/2018. The custody of the minor was given to the Applicant institution St. Catherine’s Home, Mumbai on the same day as per the safe custody order dt. 1.10.2018 by the

Child Welfare Committee, Mumbai suburban District, under section 36 (1) of Juvenile Justice (Care and Protection of Children) Act, 2015 and Rule 18 (4) of the Model J.J. Rules 2016. The said order is on record.

2. After due inquiry under section 38 of Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016) the Child Welfare Committee, Mumbai Suburban District, Govt. of Maharashtra declared the proposed minor Hriday “Legally Free for Adoption” as on 07/12/2018. The Free for adoption order is on record.

3. The Prospective Adoptive Parents, aged about 47 and 40 years respectively, are presently residing at Kanchipuram, Tamil Nadu. They have been married for the past 17 years (24/06/2001) with no biological children due to medical reasons. However, they have one adopted daughter “Divyarubini” aged about 6½ years from Tiruchirappalli, Tamil Nadu. Her birth certificate, health certificate, consent letter and

Adoption Order are on record. The Family Photograph is on record.

4. Motivation Letter from the Prospective Adoptive Parents, the Decision of Adoption Committee dated 06/02/2019, and the Affidavit by the Chief Functionary of the Specialized Adoption Agency (Applicant) are on record.

5. The Medical reports of the prospective adoptive parents dated 13/02/2019 are on record and the Remarks of Physician states, "In Good Health". Their HIV I & II and HbsAg test reports certifies the case as Negative.

6. The Prospective Adoptive Father is working as a Senior Consultant with Tata Consultancy Services, Chennai since 06/03/1997 and his monthly (January-2019) gross salary is Rs. 2,78,237/- and Net salary is Rs. 1,80,524/-. His payslips and Form No. 16 are on record. The Prospective Adoptive is a homemaker. The Copies of PAN cards, Adhar Cards, proof of

residence and Bank/LIC certificate are on record.

17. The home study report Part I: Self Assessment by the Prospective Adoptive Parents is on record. The Part II: Assessment report by the Social Worker of Christ Faith Home for Children, Chennai (Home visit done on 14/05/2017) is on record and it states, "The prospective adoptive parents are found to be very committed and straight forward. The couple has already one adopted daughter, who is well integrated in to the adoptive family and now they desire to adopt a male child between the ages of 0 to 2 years. After all assessment, the social worker is of the view that the couple has financially secured and will bring up the child with the lots of love, care and affection and she strongly recommended them to adopt a male child".

18. The Guardianship undertaking dated 16/02/2019 by the brother and sister-in-law of the prospective adoptive father residing at Kanchipuram, Tamil Nadu to look after the proposed minor in case of any mishap to the Prospective Adoptive Parents

is on record.

19. Medical Examination report of the proposed minor Hriday dated 29/10/2018 is on record and it states “No abnormalities. He is an active child”. The proposed adopters have countersigned the said report. The HIV report of the proposed minor dated 04/11/2018 certifies the case as Negative . A Post Card Size Photograph of the minor is on record.

20. As regards the change of name, the prospective adoptive parents desire that the minor ‘Hriday’ be renamed as “Ramesh Jaivignesh”. The same is allowed.

21. The Joint consent, willingness and undertaking by the prospective adoptive parents are on record. The Pre-adoption foster care undertaking dated 18/02/2019 is on record.

22. The undertaking dated 25/03/2019 to send post

adoption follow up report by the authorities of Christ Faith Home for Children, Chennai is on record.

23. I have considered the petition, annexures thereto and the report dated **12.4.2019** of the Scrutiny Officer of Indian Council of Social Welfare (ICSW). The report is taken on record and marked "X" for identification. The other required documents are also on record. Therefore, I find no impediment in granting the reliefs sought for in the petition.

24. Petition allowed. Judge's order is signed separately.

25. The Registry will get the Petition with all its annexures and all orders, including the signed Judge's Order, scanned. These digital copies are to be preserved. A soft copy may be given to the Advocate for the petitioner free of cost on a pen drive provided by the Advocate for the petitioner for the same. The Registry will ensure that the scan of the Judge's Order is a properly calibrated colour scan.

15. Once Hriday is 18 years old, he may apply

independently for authenticated or certified copies of this order and the contents of the court records, and the same will be provided to him without him having to file any additional supporting documents.

All undertakings accepted.

(ANUJA PRABHUDESSAI,J.)