

O.P.No.722 of 2019

K.KALYANASUNDARAM, J.

This petition has been filed under Section 56(2) of the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016) read with Regulations 52(4) and 55(2) of the Adoption Regulations: (i) to declare the second petitioner, who is adopting the child along with the biological father, as parent of the minor Sumukh Arunkumar for all purposes allowed by law and ii) the birth certificate issuing authority, namely, the Health Officer, Corporation of Chennai, may be directed to modify the Birth Certificate bearing Registration No.2009/05/070/000593 dated 22.04.2010 for the said child, Sumukh Arunkumar, within five working days from the date of application, as per the Regulation 36 of the Adoption Regulations.

2. The case of the petitioners is that the petitioners are residing at New No.19, ICL Srinivas Fourth Street, Abhiramapuram, Chennai - 600 018. The petitioners are the biological parent and the step-parent of the child minor Sumukh Arunkumar. The said child Minor Sumukh Arunkumar was born to the biological parents, namely, Arunkumar Swaminathan, the first petitioner herein and Deepa Balasubramanian on 20.03.2009. The biological mother of the minor child died on 10.04.2015. Thereafter, the biological father of the

minor child, namely, the first petitioner herein, married the second petitioner on 23.01.2017. The second petitioner is desirous of adopting the child, Minor Sumukh Arunkumar since the adoption will create a permanent parent-child relationship with them.

3.Heard the learned counsel appearing for the petitioners.

4.The second petitioner examined herself as P.W.1 and filed proof affidavit and also marked the following documents viz., Exs.P1 to P6:

- a) Ex.P1 (series 2 Nos) are the photocopies of the passports of both the petitioners (Marked after comparing and verifying with the original).
- b) Ex.P2 is the photocopy of the true extract of the marriage register for the serial number of marriage 269 of 2017, in respect of the marriage took place between the 1st petitioner and the 2nd petitioner (Marked after comparing and verifying with the original).
- c) Ex.P3 (Series 2 Nos) are the computer generated Income Tax return acknowledgements for the assessment year 2018-2019 in respect of both the petitioners along with the entire Income Tax return form in respect of the 2nd petitioner.
- d) Ex.P4 is the computer generated online application for adoption filed with Central Adoption Resource Authority.
- e) Ex.P5 (series 3 Nos) are the photographs of both the petitioners and the minor child.

f) Ex.P6 is the Declaration of Willingness given by me.
She further submitted that she has not filed any other petition before any other Court seeking the same relief.

5.The first petitioner, who is the biological father of the child Minor Sumukh Arunkumar, examined himself as P.W.2 and filed proof affidavit and also marked the following documents viz., Exs.P7 and P8:

- a) Ex.P7 is the computer generated birth certificate of my son A.Sumukh, who was born on 20.03.2009.
- b) Ex.P8 is the photocopy of the death certificate of Deepa Balasubramanian, who died on 10.04.2015 (Marked after comparing and verifying with the original).

6.Considering the materials placed on record, I am satisfied that it will be most beneficial to the minor child, if the second petitioner is appointed as the adoptive parent. Accordingly, this original petition is ordered as prayed for.

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