

O.P.No.644 of 2019**K.KALYANASUNDARAM, J.,**

This petition has been filed under Section 56(1) of the Juvenile Justice (Care and Protection of Children) Act 2015 (2 of 2016) read with Regulations 12(2) and read with Clause 17 of the Letters Patent to declare the petitioners 2 and 3 as parents of the person of minor Sakthi Prasanna, now known as "Sam Prasanna".

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

(a) The first petitioner is a recognized Specialized Adoption Agency under Section 65 of the Juvenile Justice (Care and Protection of Children) 2015 (2 of 2016) by the State Government of Tamil Nadu, for rehabilitating orphans, abandoned and surrendered children through adoption in accordance with the provision of the Juvenile Justice Act and Adoption Regulations.

(b) The minor child Sakthi Prasanna, born on 26.01.2018 was surrendered by his biological mother to the Child Welfare Committee, Villupuram on 08.01.2019 and on the same day, the minor child was handed over to the first petitioner-Trust. The child was declared as legally free for

adoption by the Child Welfare Committee, Villupuram by its order, dated 28.03.2019.

(c) The petitioners 2 and 3 got married on 04.06.2009 and they have no children. Therefore, they have decided to go in for adoption. The second petitioner is working as Grade-I Police in the Government of Tamil Nadu and his annual income is Rs.3,45,000/-. The third petitioner is a house wife. The petitioners 2 and 3 registered with CARA for a child for adoption on 27.01.2017. As per new CARA guidelines 2015, child Sakthi Prasanna was matched and the petitioners 2 and 3 accepted to adopt child Sakthi Prasanna on 29.05.2019. The said child was given in Foster care on 29.05.2019 to the petitioners 2 and 3 and from that day onwards, the said couple has been bringing up the said child as their own bestowing the parental affection and they renamed the child as "Sam Prasanna".

3. Heard the learned counsel appearing for the petitioners.

4. The second petitioner examined himself as P.W.1. In his evidence, he has reiterated what are all stated in the petition. While deposing, he marked 16 documents as Exs.P1 to P16.

Exs	Documents	Dated
P1	Original Home Study Report	03.02.2017
P2	Certified copy of Form-II along with Form 24 (Deed of Surrender) in respect of the minor child Sakthi Prasanna	08.01.2019
P3	Original Certificate of Child Welfare Committee	28.03.2019
P4	Computer Generated pay slip for the month of April 2019 in respect of the second petitioner	-
P5	Photocopy of the extract of Hindu Marriage Register in respect of marriage of the petitioners 2 and 3	-
P6	(Series 2 Nos.) are the Medical Certificates in respect of the petitioners 2 and 3	-
P7	Original Child Study Report	29.05.2019
P8	Original Medical Examination Report of child Sakthi Prasanna	-
P9	Original Pre-Adoption Foster Case Undertaking affidavit given by both the petitioners 2 and 3	-
P10	Online acknowledgement letter along with application for having applied through online for adoption of the child Sakthi Prasanna	-
P11	(Series 2 Nos) are the photocopies of the Aadhaar cards of the petitioners 2 and 3	-
P12	(Series 2 Nos) are the photocopies of the PAN cards of the petitioners 2 and 3	-
P13	Photocopy of the statement of marks in respect of the second petitioner, issued by University of Madras	-
P14	Photocopy of the Higher Secondary Course Certificate in respect of the third petitioner	-
P15	Joint Declaration of Willingness given by the petitioners 2 and 3	-
P16	Photograph of minor child Sakthi Prasanna along with Compact Disk	-

5. The Trustee of the first petitioner Trust, viz., John Alex was examined as P.W.2 and while deposing, P.W.2 marked 3 documents as Exs.P17 to Ex.P19.

Exs	Documents	Dated
P17	Photocopy of the Trust Deed in respect of the first petitioner Trust	09.04.2014
P18	Photocopy of the letter (D)No.224/SW.5(1)/2016 addressed to the first petitioner Trust along with certificate of recognition	23.12.2016
P19	Affidavit given by P.W.2	-

6. P.W.2 had given evidence to the effect that adoption of the child concerned in this case by the petitioners 2 and 3 would be in the best interest and welfare of the minor child itself.

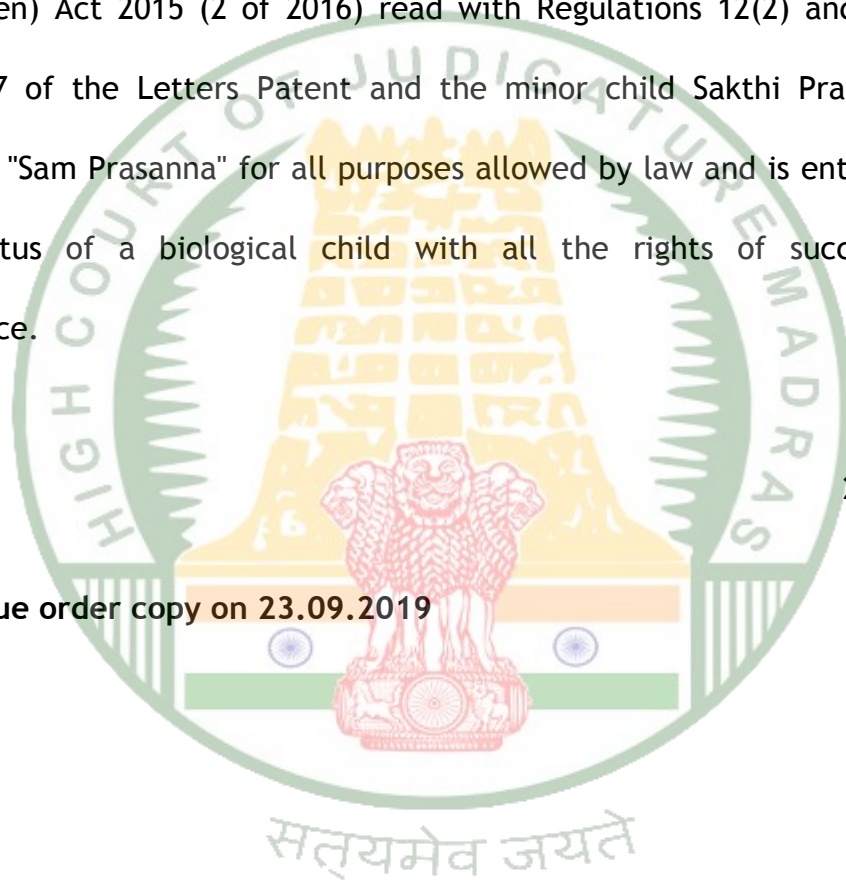
7. The materials placed before this Court definitely show that the minor child is an abandoned child and his welfare definitely deserves the petitioners 2 and 3 being declared as parents of the minor child. I am satisfied that it will be most beneficial to the minor child, if the petitioners 2 and 3 are declared as parents of the minor child.

8. Accordingly, this original petition is ordered as prayed for and the petitioners 2 and 3 are hereby declared as parents of the minor child Sakthi Prasanna, now known as "Sam Prasanna", whose photograph is duly attested and annexed hereto, as per 56(1) of the Juvenile Justice (Care and Protection of Children) Act 2015 (2 of 2016) read with Regulations 12(2) and read with Clause 17 of the Letters Patent and the minor child Sakthi Prasanna, now known as "Sam Prasanna" for all purposes allowed by law and is entitled to the legal status of a biological child with all the rights of succession and inheritance.

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Note: Issue order copy on 23.09.2019

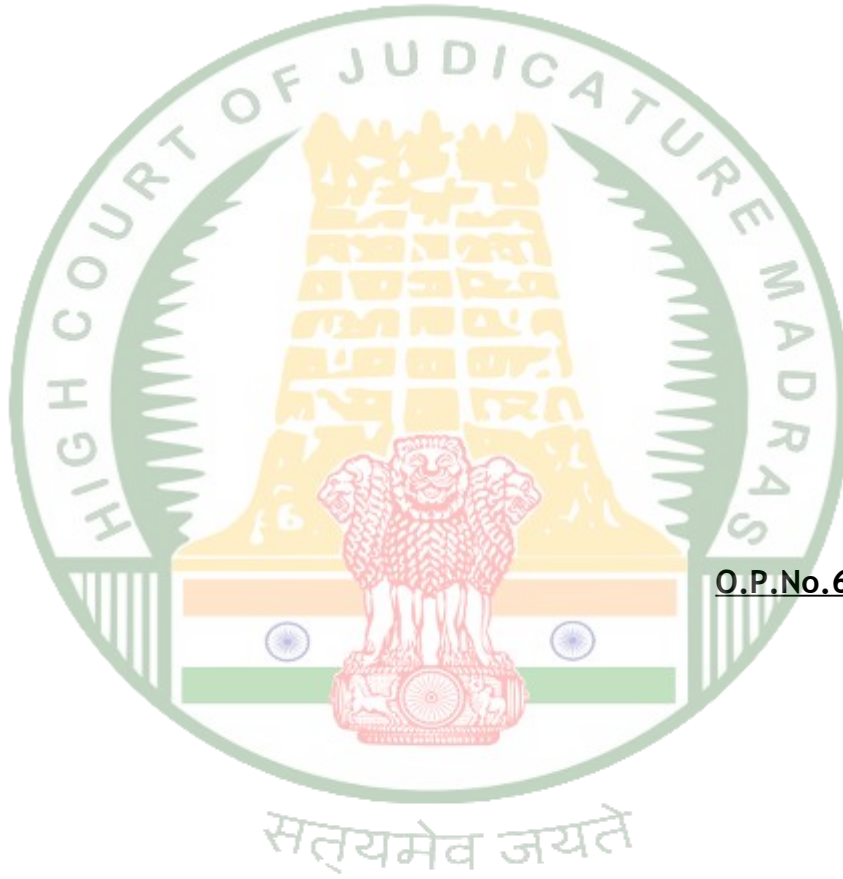
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