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V.PARTHIBAN, J.

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This Original Petition has been filed by the petitioners 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 to appoint the petitioners 1 and 2 as parents of the person of Minor female child A.Maria Sarina, whose date of birth is 21.07.2017, and to grant leave to them to take physical custody of the child for being adopted, fostered, brought up and maintained by the petitioners 1 and 2, and for a direction to issue Birth Certificate in respect of the child.

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

(a) The minor female child viz., A.Maria Sarina, born on 21.07.2017 to Mr.S.Arockiaraja and Mrs.Mary Jenifer, the third and fourth petitioners herein. The fourth petitioner is the younger sister of the second petitioner. The third and fourth petitioner have given their consent to give the child in adoption to the first and second petitioners.

(b) The first and the second petitioners are residing at No.108/1 6th Cross A.K.Colony, Opp. SBI Bank, Uttarahalli, Bangalore South,



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Subramanyapura Bangalore, Karnataka – 560 061. The third and fourth petitioners have two children. The first and second petitioners have no children, therefore, they have decided and wanted to adopt the minor child of the third and fourth petitioners, so that, they can give better future to the minor child as well as the third and fourth petitioners herein.

(c) The income proof given by the Karnataka Government's Verification certificate is submitted by the adoptive father to prove that the adoptive parents are financially capable of taking care of the welfare of minor child.

(d) The 1st and 2nd petitioners believe that they have much to offer a child, including their home, love and ability to financially care for a child, and the financial position of the couple is good.

(e) The biological parent of the child, viz., the 3rd and 4th petitioners, had given their consent under Schedule XIX and consent to the proposed adoption by way of declaration, and the 1st and 2nd petitioners have filed their declaration of willingness to adopt the child.

(f) The proposed adoption of the child by the 1st and 2nd petitioners from the biological parent would be in the paramount welfare of the child



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and the 1st and 2nd petitioners would treat the child as their own biological child with all rights and responsibilities. Neither the parties have given or agreed to give, nor have the natural parents or guardians of the child received or agreed to receive any payment or reward in consideration of the adoption.

(g) No guardian of person or the property of the said minor female child has been appointed by any Court and that no application has been made any time to this Court or in any other Court with regard to the adoption of the said minor child. The minor female child above named has no property.

(h) The conditions laid down in Section 61(1) of the Juvenile Justice Act have been complied with in this adoption case and the 1st and 2nd petitioners undertake to do the necessary submissions to CARA as post adoption procedure and complete all legal formalities.

3. Heard the learned counsel appearing for the petitioners. There are no respondents in this petition.



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4.The 1st petitioner examined himself as P.W.1. and he filed exhibits

Ex.P1 to Ex.P11. Ex.P1 is the photocopy of the birth certificate of Stella Mary, who was born on 13.02.1981. Ex.P2 is the photocopy of the first page of the Transfer Certificate of A.Arokiya Raja. Ex.P3 is the photocopy of the Marriage Certificate bearing Serial No.1729/2018 dated 25.04.2018 issued by the Registration Department, Government of Tamil Nadu. Ex.P4 is the photocopy of 1st petitioner's PAN card bearing No.AKWPA3252G. Ex.P5 is the photocopy of the PAN card of the 2nd petitioner bearing No.GYPPS6095Q. Ex.P6 is the computer generated Income and Caste Certificate of K.Arokia Raju dated on 03.05.2018 issued by Tahsildar, Bengaluru South Taluk, Bengaluru. Ex.P7 is the original Physical Fitness Certificate dated 19.12.2019 in respect of K.Arokia Raju. Ex.P8 is the original Physical Fitness Certificate dated 19.12.2019 in respect of A.Stella Mary. Ex.P9 is the photocopy of my Aadhaar card bearing No.5304 7800 2282. Ex.P10 is the photocopy of the Aadhaar card of the 2nd petitioner A.Stella Mary bearing No.3626 5016 4946. Ex.P11 is the original notarized joint affidavit of the petitioners 1 and 2 dated 07.12.2019.



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5.The third petitioner is examined as P.W.2 and he filed exhibits Ex.P12 to Ex.P18. Ex.P12 is the photocopy of the third petitioner's Aadhaar card bearing No.9696 0311 2648. Ex.P13 is the computer generated birth certificate of A.Maria Sarina, who was born on 21.07.2017. Ex.P14 is the photocopy of the Marriage Certificate bearing SI.No.1740/2018, dated 25.04.2018 issued by the Registration Department, Government of Tamilnadu. Ex.P15 is the photocopy of the consent given as per schedule XIX dated 21.12.2019. Ex.P16 is the online copy of the application submitted to Central Adoption Resource Authority along with acknowledgment. Ex.P17 (series 2 Nos) are the original letters given by Mrs. M.Arokia Mary and Mr.Sebastin Raj along with their respective photocopies of the Aadhaar cards. Ex.P18 is the photograph of the child A.Maria Sarina along with compact disc.

6.The materials placed before this Court would show that the 1st and 2nd petitioners have decided to adopt the minor child, namely, A.Maria Sarina, born to the 3rd and 4th petitioners, and the biological parents also has given their consent and willingness to give the minor child in adoption to



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the 1st and 2nd petitioners, as the child will get good care and protection.

Therefore, this Court is satisfied that it will be most beneficial to the minor child, if the 1st and 2nd petitioners are appointed as the adoptive parents.

7. Accordingly, this Original Petition is ordered as prayed for subject to the following conditions:-

- i. The 1st and 2nd petitioners are hereby appointed as adoptive parents of the minor female child A.Maria Sarina, whose photograph is duly attested and annexed hereto, as per Section 56(2) of the Juvenile Justice Act (Act 2 of 2016).
- ii. The minor child A.Maria Sarina, is entitled to the legal status of a biological child with all the rights of succession and inheritance.
- iii. The 1st and 2nd petitioners are permitted to take physical custody of the minor A.Maria Sarina, for being brought up and maintained by them.



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iv. The Birth Certificate of the minor A.Maria Sarina, may be issued with the 1st and 2nd petitioners as parents along with the name of the child within five working days from the date of application, as per the provisions of the Regulation 36 of the Regulations of CARA, by the concerned authorities.

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