



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 27th DAY OF AUGUST 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

O.P. No.493 of 2021

In the matter of the Juvenile Justice Act

In the matter of minor Saiesha (Female) Date of Birth:17.02.2018.

1. Mr.G.Raghu Raman,

2. Mrs. Lavanya Raghuraman

... Petitioners/Adoptive Parents

3. Ms.Akshaya Raghuraman

All residing at No.8084,  
8<sup>th</sup> Block Osian Chlorophyll,  
Devi Parasakthi Nagar, Porur,  
Thiruvallur, Chennai 600 116.

... Petitioner/Biological Parent

Original Petition praying that this Hon'ble Court be pleased to

a) that the 1<sup>st</sup> and 2<sup>nd</sup> petitioners be permitted to take physical custody of Female minor child Saiesha whose date of Brith is 17/02/2018 for being adopted, brought up and maintained by them.

b) The Birth certificate issuing authority may be directed to issue birth Certificate with the 1<sup>st</sup> and 2<sup>nd</sup> petitioners as parents along with the name of the child within five working days from the date of application, as per the provisions of regulation 36 of the Regulations of CARA.



WEB COPY This original petition coming on this day before this court for hearing in the presence of M/s.Jayasudha Suryanarayanan, advocate for the petitioners herein and upon reading the petition together with the Declaration of Willingness of G.Raghu Raman, the 1<sup>st</sup> petitioner herein, accepting to be the adoptive parents of the minor above named, and the other exhibits therein referred to and upon perusing the evidence adduced therein, it is ordered as follows:-

That 1. Mr.G.Raghu Raman, 2. Mrs. Lavanya Raghuraman, the 1<sup>st</sup> and 2<sup>nd</sup> petitioners herein, both are residing at No.8084, 8<sup>th</sup> Block Osian Chlorophyll, Devi Parasakthi Nagar, Porur, Thiruvallur, Chennai 600 116 be and are hereby appointed as adoptive parents of the person of the minor female child Saiesha, whose photograph is duly attested and annexed hereto, as per section 56(1) of the Juvenile Justice Act 2 of 2016.

2. That the minor child Saiesha shall be entitled to the legal status of a biological child with all the rights of succession and inheritance.

3. That the 1<sup>st</sup> and 2<sup>nd</sup> petitioners herein be and are hereby permitted to take physical custody of the minor Saiesha for being brought up and maintained by them.

4. That the 1<sup>st</sup> and 2<sup>nd</sup> petitioners herein shall submit periodical reports regarding the welfare of the minor child at the intervals of three months in the first two years and at the intervals of six months for the succeeding three



years to the Court.

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5. That the Birth Certificate for minor Saiesha shall be issued with the 1<sup>st</sup> and 2<sup>nd</sup> 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.

6. That the minor child shall be accompanied by a responsible adult.

(Annexure)

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,  
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE  
27th DAY OF AUGUST 2021.

Sd./-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the      day of      2021.

COURT OFFICER(O.S.)

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O.P. No.493 of 2021

ORDER :-

Dated: 27.08.2021

THE HON'BLE MR.JUSTICE  
V.PARTHIBAN

FOR APPROVAL: 23.09.2021

APPROVED ON: 23.09.2021



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FRIDAY, THE 27th DAY OF AUGUST 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

O.P. No.493 of 2021

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Original Petition praying that this Hon'ble Court be pleased to

a) that the 1<sup>st</sup> and 2<sup>nd</sup> petitioners be permitted to take physical custody of Female minor child Saiesha whose date of Brith is 17/02/2018 for being adopted, brought up and maintained by them.

b) The Birth certificate issuing authority may be directed to issue birth Certificate with the 1<sup>st</sup> and 2<sup>nd</sup> petitioners as parents along with the name of the child within five working days from the date of application, as



per the provisions of regulation 36 of the Regulations of CARA.

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This original petition coming on this day before this court for hearing, the Court made the following order:-

This Original Petition has been filed by the petitioners under Section 56(2) of the Juvenile Justice (Care and Protection of Children) Act 2015, read with Regulations 51 and 55 of the Adoption Regulations to appoint the petitioners 1 and 2 as parents of the person of Minor female child Saiesha, whose date of birth is 17.02.2018, 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.*, Saiesha born on 17.02.2018 to Ms.Akshaya Raghuraman, the third petitioner herein. The third petitioner is a daughter of the first and second petitioners. She is unmarried and has given birth to the above named minor female child and the whereabouts of the father of the minor child is not known. The third petitioner has given her consent to give the child in adoption to the first and second petitioners.

(b) The first and the second petitioners got married on 20.08.1995 in



Parasakthi Nagar, Porur, Thiruvallur, Chennai 116. They have two biological children viz., Akshaya Raghuraman, the third petitioner herein and Thanekeshwar. They have decided and wanted to adopt the minor female child, so that, they can give better future to the minor child as well as the third petitioner herein.

(c ) The first petitioner is working as Assistant General Manager with Hyundai Motor India Limited and drawing a monthly income of Rs.1,18,394/- and the second petitioner is a house wife.

(d) The 1<sup>st</sup> and 2<sup>nd</sup> 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 3<sup>rd</sup> petitioner, has given her consent under Schedule XIX and consent to the proposed adoption by way of declaration, and the 1<sup>st</sup> and 2<sup>nd</sup> petitioners have filed their declaration of willingness to adopt the child.

(f) The proposed adoption of the child by the 1<sup>st</sup> and 2<sup>nd</sup> petitioners

from the biological parent would be in the paramount welfare of the child



and the 1<sup>st</sup> and 2<sup>nd</sup> 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 1<sup>st</sup> and 2<sup>nd</sup> 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.

4. The 1<sup>st</sup> petitioner examined himself as P.W.1. In his evidence, he

reiterated the averments stated in the petition. While deposing, he marked



13 documents as Exs.P1 to P13. Ex.P1 is the computer generated birth certificate of A.Saiesha, who was born on 17.02.2018. Ex.P2 is the original surrender affidavit dated 21.02.2020. Ex.P3 is the original consent for the purpose of relative adoption along with photocopies of Aadhaar cards of K.V.L.Narasimharao, Girish Gupta, Akshaya Raghuraman. Ex.P4 is the photocopy of the Aadhaar card of Akshaya Raghuraman bearing No.8578 4148 1854. Ex.P5 is the online acknowledgement letter for online application submitted to CARA. Ex.P6 is the original Home Study Report dated 18.03.2020. Ex.P7 is the photocopy of the certified copy of the Marriage certificate bearing serial number of marriage as 386 of 1997. Ex.P8 are the photocopies of the passports of the petitioners 1 and 2. Ex.P9 is the computer generated pay slip of the first petitioner for the month of March 2021. Ex.P10 are the original Medical Fitness Certificates in respect of the petitioners 1 and 2 both dated 20.01.2021. Ex.P11 are the photocopies of the Aadhaar Cards of the petitioners 1 and 2 bearing No.4196 1363 2523 and 8869 3433 9366 respectively. Ex.P12 is the declaration of willingness given by the petitioners 1 and 2. Ex.P13 is the photograph of the minor Saiesha along with compact disc.

5.The 3<sup>rd</sup> petitioner (biological mother) examined herself as P.W.2

and submitted her consent affidavit which is marked as Ex.P14.



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6. The materials placed before this Court would show that the 1<sup>st</sup> and 2<sup>nd</sup> petitioners have decided to adopt the minor child, namely, Saiesha, born to the 3<sup>rd</sup> petitioner, who are related to each other, and the biological parent also has given her consent and willingness to give the minor child in adoption to the 1<sup>st</sup> and 2<sup>nd</sup> 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 1<sup>st</sup> and 2<sup>nd</sup> petitioners are appointed as the adoptive parents.

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

- i. The 1<sup>st</sup> and 2<sup>nd</sup> petitioners are hereby appointed as adoptive parents of the minor female child Saiesha, 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 Saiesha is entitled to the legal status of a biological child with all the rights of succession and inheritance.

- iii. The 1<sup>st</sup> and 2<sup>nd</sup> petitioners are permitted to take physical



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custody of the minor Saiesha for being brought up and maintained by them.

- iv. The 1<sup>st</sup> and 2<sup>nd</sup> petitioners shall submit periodical reports regarding the welfare of the minor child at the intervals of three months in the first two years and at the intervals of six months for the succeeding three years to the Court.
- v. The Birth Certificate of the minor Saiesha may be issued with the 1<sup>st</sup> and 2<sup>nd</sup> 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.

The minor child shall be accompanied by a responsible adult.

Sd./-V.P.N.J  
27/08/2021

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Dated at Madras this the      day of      2021.

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