



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 06TH DAY OF AUGUST 2021

THE HON'BLE MR. JUSTICE K.KALYANASUNDARAM

A.No.2683 of 2021

in

O.P. No.530 of 2016

In the matter of
Guardians and Wards Act 1890
And
In the matter of minor
Ms.Samiksha and Master
Saatvik

(*) M.Leelavathi,
(*) Wife of Late K.S.Srinivasan
18/29L, Padmalayam Flats,
Azeez Nagar First Street,
Kodambakkam,
Chennai 600 024
(*) (Amendment Carried out as per
order dated 22.09.2016)
in A.No.4843 of 2016)

... Petitioner

Vs.

Mrs.Sarala
W/o.Late Sivan Pillai
Plot No.12, Mettu Street,
Ninaikattur,
Kattankulathur,
Chennai - 603 203.

... Respondent



A.No.2683 of 2021:

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M.Leelavathi,
Wife of Late K.S.Srinivasan
18/29L, Padmalayam Flats,
Azeez Nagar First Street,
Kodambakkam,
Chennai-600 024

..Applicant

-Vs-

Mrs.Sarala
W/o.Late Sivan Pillai
Plot No.12, Mettu Street,
Ninaikattur,
Kattankulathur,
Chennai - 603 203.

... Respondent

This application praying that this Hon'ble Court be pleased to delete the Para 12 (iv) of the order dated 27/03/2017 as amended by order dated 10/07/2019 made in Application No.451 of 2017 in O.P.No.530 of 2016 or be clarified that the adoption has become final and Para 12 (iv) cannot be construed as a condition precedent.

This application coming on this day before this court for hearing, the court made the following order:

<https://hcservices.ecourts.gov.in/hcservices/> This petition has been filed to delete para 12(iv) of the order dated 27.03.2017 as amended by order dated 10.07.2019 made in Application



No.451 of 2017 in O.P.No.530 of 2016 or to be clarified that the adoption has become final and para 12(iv) cannot be considered as a condition precedent.

2.Mr.G.Vivekanand, learned counsel appearing for the petitioner would submit that even though this Court vide order dated 27.03.2017 appointed Mrs.Priya Kalpat Srinivasan and Srinivasan Balakrishnan as adoptive parents of minor children Ms.Samiksha and Master Saatvik and they were permitted to take physical custody of the minor children for being taken outside India, but in view of the fact Clause 12(iv) of the order mandates the petitioners therein to file periodical reports regarding the welfare of the minor children, the children were not permitted to take to United States of America. It is the submission of the learned counsel for the petitioner that U.S.Citizenship & Immigration Services (USCIS), does not treat the order dated 27.03.2017 made in Application No.451 of 2017 in O.P.No.530 of 2016 as a final order.

3.In the light of the above submission of the learned counsel for the petitioner, it is hereby clarified that the order passed in Application No.451 of 2017 in O.P.No.530 of 2016 dated 27.03.2017 is the final order in the above Original Petition. It is apposite to note that Clause 12 (iv) is



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4. Since Mrs. Priya Kalpat Srinivasan and Srinivasan Balakrishnan, adoptive parents of the minor children Ms. Samiksha and Master Saatvik, were already permitted to take physical custody of the minor children for being taken to SAN JOSE CITY in California, United States of America, no further orders in this regard is required.

5. This application is clarified accordingly.

Sd/.M.K.K.S.J.
06.08.2021

//Certified to be a true copy//

Dated this the th day of 2021.

SU/13.08.2021

COURT OFFICER(O.S.)

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.