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V.PARTHIBAN,J.

This petition is filed under Section 56(1) of the Juvenile Justice (Care & Protection of Children) 2015 (2 of 2016) r/w Regulations 12(2), to appoint the petitioners 2 and 3 as adoptive parents of the person of the minor female child Sneha, now known as Isabella Yazhini, whose date of birth is 13.01.2021.

2. The case of the petitioners is as follows:

(i) The 1st petitioner, Varshini Illam Trust, is a recognised Specialised Adoption Agency under Section 65 of the Juvenile Justice (Care and Protection of Children) Act, 2015, for rehabilitating orphans, abandoned and surrendered children through adoption. The in-country licence granted to the 1st petitioner Institution by the Government of Tamil Nadu has been renewed on 23.12.2016 and the period of validity of the certificate is five years from 23.12.2016 to 22.12.2021. The said institution is now functioning at No.108, AH Block, 4th Street, Shanthi Colony, Anna Nagar, Chennai – 600 040, within the legal jurisdiction of this Court.



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(ii) The minor female child Sneha, now known as Isabella Yazhini, born on 13.01.2021, was surrendered by the biological mother before the Child Welfare Committee, Villupuram on 30.01.2021 and the child was handed over to the petitioner Institution on 30.01.2021. The said female child was declared as legally free for adoption by the Child Welfare Committee, Villupuram, as per its order dated 05.04.2021. The minor female child Sneha, now known as Isabella Yazhini was under the care and custody of Varshini Illam Trust, Chennai. The Central Adoption Resource Authority (CARA), New Delhi, has issued no objection certificate. The child is about 6 months old.

(iii) The second and third petitioners are Indian citizens and residing at No.16B, 3rd Cross Street, VGP Ponnagar, Sembakkam, Chennai 600 073. They got married on 27.12.2010 and they do not have biological child and they wanted to adopt a child. The second and third petitioners are having sufficient income to maintain the child. They 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.



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WEB COPY (iv) It is averred by the petitioners in the petition that no guardian of person or 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 with regard to the adoption of the minor child above named. The minor female child above named has no property.

(v) The conditions laid down in Section 61(1) of the Juvenile Justice Act have been complied with in this adoption case and the 2nd and 3rd 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. Mr.John Alex, the Trustee of the 1st petitioner Trust, examined himself as P.W.1 and Exs.P-1 to P-4 were marked. Ex.P1 is the photocopy of the Trust Deed dated 09.04.2014. Ex.P2 is his affidavit from SAA. Ex.P3



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is the photocopy of the certificate of recognition by the State Government dated 23.12.2016. Ex.P4 is the photocopy of the Transfer Letter dated 04.08.2020.

5. The second petitioner examined himself as P.W.2 and Exs.P5 to P20 were marked. Ex.P5 is the original Deed of Surrender dated 30.01.2021. Ex.P6 is the original temporary custody letter dated 30.01.2021. Ex.P7 is the original CWC clearance dated 05.04.2021. Ex.P8 is the original computer generated CARA online application. Ex.P9 is the original Home Study Report dated 24.07.2018. Ex.P10 is the original Child Study Report dated 09.05.2021. Ex.P11 is the original Medical Examination Report dated 15.04.2021. Ex.P12 is the original Pre-Adoption Foster Care Undertaking dated 09.05.2021. Ex.P13 is our photocopy of the Marriage certificate dated 30.01.2017. Ex.P14 (Series 2 Nos) are the original certificate of medical fitness of the petitioners 2 and 3. Ex.P15 is the computer generated Income Tax Return Acknowledgment for the assessment year 2020-21. Ex.P16 (series 2 Nos) are the photocopies of the Aadhar Cards of the petitioners 2 and 3. Ex.P17 (series 2 Nos) are the photocopies of the PAN cards of the



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petitioners 2 and 3. Ex.P18 (series 2 Nos) are the photocopies of the School Certificate of the 2nd petitioner and Transfer Certificate of the 3rd Petitioner for age proof. Ex.P19 is the declaration of willingness of the petitioners 2 and 3. Ex.P20 is the photograph of the minor Isabella Yazhini.

6. The evidence of P.W.1 and P.W.2 and the Exs.P-1 to P-20 shows that the second and third petitioners are entitled to get the custody of the minor female child Sneha, now known as Isabella Yazhini. Hence, the petition is ordered, subject to the following conditions:

(i) The second and third petitioners are hereby appointed as adoptive parents of the minor female child Sneha, now known as Isabella Yazhini, whose date of birth is 13.01.2021, whose photograph is duly attested and annexed hereto, as per Section 56(1) of the Juvenile Justice Act of 2015 as amended by Act 2 of 2016.

(ii) The minor child Sneha, now known as Isabella Yazhini is entitled to the legal status of a biological child with all the rights of succession and inheritance.



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(iii) The second and third petitioners are permitted to take the physical custody of the minor female child Sneha, now known as Isabella Yazhini for being adopted, fostered, brought up and maintained by them.

(iv) Birth Certificate Issuing Authority is directed to issue birth certificate for child Sneha, now known as Isabella Yazhini with the second and third petitioners as parents along with the name of the child, within five working days from the date of application, as per the provisions of Sub-regulations (5) of the regulations 18 and 36 of CARA Regulations

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