



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 16th DAY OF DECEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P. No.645 of 2021

In the matter of the Juvenile Justice
Act 2 of 2016

In the matter of minor Aparna born
on 21.01.2021 Female, Indian,
abandoned

1. Holy Apostles Convent
by its Social Worker, Sr.Malar L.
St.Thomas Mount
Chennai 600 016.

2. Mr.Prabakar K Puthran
S/o.Krishna A Kunder

3. Mrs.Savitha P.Puthran
W/o.Prabakar K Puthran

Both residing at No.2-99/2 Amma,
Jarkallu, Mandarthi Post
Udupi 576 223 Karnataka.

...Petitioners

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

a) that the 2nd and 3rd petitioners, who are the prospective adoptive
parent may please be given the minor Aparna in adoption and be declared as
the parent of the said minor, for all purposes allowed by the law.

b) That the Birth Certificate Issuing Authority, Cantonment Board,



St.Thomas Mount cum Pallavaram, Chennai 16 may be directed to issue Birth Certificate for the said child within five working days from the date of application, as per the provisions of Regulation 36 of the Adoption Regulations of CARA.

This original petition coming on this day before this court for hearing in the presence of Miss.M.B.Dominique, advocate for the petitioners herein and upon reading the petition together with the Declaration of Willingness of Mr.Prabakar K Puthran and Mrs.Savitha P.Puthran, the 2nd and 3rd petitioners 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 Mr.Prabakar K Puthran and Mrs.Savitha P.Puthran, the 2nd and 3rd petitioners herein, residing at No.2-99/2 Amma, Jarkallu, Mandarthi Post, Udipi 576 223 Karnataka who are the prospective adoptive parents be and are hereby permitted to adopt the minor Aparna and declared as the parents of the said minor, for all purposes allowed by the law, whose photograph is duly attested and annexed hereto, as per section 56(1) of the Juvenile Justice Act 2 of 2016.



2. That the Birth Certificate Issuing Authority, Cantonment Board, St. Thomas Mount cum Pallavaram, Chennai 16 be and is hereby directed to issue Birth Certificate for the said child within five working days from the date of application, as per the provisions of Regulation 36 of the Adoption Regulations of CARA.

(Annexure)

WITNESS THE HON'BLE MR.JUSTICE MUNISHWAR NATH BHANDARI ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 16th DAY OF DECEMBER 2021.

Sd./-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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07.01.2022

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O.P. No.645 of 2021

ORDER :-

Dated: 16.12.2021

THE HON'BLE MR.JUSTICE
ABDUL QUDDHOSE

FOR APPROVAL: 31.01.2022

APPROVED ON: 31.01.2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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THURSDAY, THE 16th DAY OF DECEMBER 2021

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

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by its Secretary, Sr.Thresiamma M.
St.Thomas Mount
Chennai 600 016.

2. Mr.Prabakar K Puthran
S/o.Krishna A Kunder

3. Mrs.Savitha P.Puthran
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Both residing at No.2-99/2 Amma,
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Original Petition praying that this Hon'ble Court be pleased to:-

a) that the 2nd and 3rd petitioners, who are the prospective adoptive
parent may please be given the minor Aparna in adoption and be declared as
the parent of the said minor, for all purposes allowed by the law.

b) That the Birth Certificate Issuing Authority, Cantonment Board,



St.Thomas Mount cum Pallavaram, Chennai 16 may be directed to issue Birth Certificate for the said child within five working days from the date of application, as per the provisions of Regulation 36 of the Adoption Regulations of CARA.

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

This Petition has been filed under section 56(1) of the Juvenile Justice Act 2 of 2016 read with Clause 17 of the Letters Patent seeking for the following reliefs:

(a) The second and third petitioners who are the prospective adoptive parents may please be given the minor Aparna in adoption and be declared as the parents of the said minor, for all purposes allowed by the law; and

(b) The Birth Certificate Issuing Authority, Cantonment Board, St. Thomas Mount cum Pallavaram, Chennai – 16 may be directed to issue Birth Certificate for the said child within five working days from the date of application, as per the provisions of Regulation 36 of the Adoptive Regulations of CARA.

2. The minor child Aparna was born on 21.01.2021. According to the petitioners, she was declared legally free for adoption by the Child Welfare



Section 38 of Juvenile Justice Act and the said child is registered in the Child Adoption Resource Information and Guidance System with the Registration No. RIPA/TN/2-0335 for the purpose of adoption as envisaged in Section 56(1) of the Juvenile Justice Act.

3. The first petitioner is a recognized Specialized Adoption Agency registered under section 65 of the Juvenile Justice (Care and Protection of Children) Act of 2015. The second and third petitioners are registered in the Child Adoption Resource Information and Guidance System with the Registration No.PrKa116071880 and they got married on 09.08.2003. According to them, the second petitioner is a self employed businessman engaged in building stones quarrying whose annual gross income is Rs.5,10,141/- and third petitioner is a Primary School Assistant Mistress whose annual gross income is Rs.6,37,992/-. According to the petitioners, both the second and third petitioners have been found eligible and suitable to adopt the minor child Aparna as per the criteria mentioned in Section 57 of the Juvenile Justice Act and Regulation 5 of the Adoption Regulations of CARA, based upon their Home Study Report.

4. Minor Aparna has been referred to the second and third petitioners



System. The said petitioners accepted to adopt the said minor by signing the Child Study and Medical Reports on 14.09.2021. The child has been given in Pre-Adoption Foster Care to the second and third petitioners on 15.09.2021, after obtaining a Pre-Adoption Foster Care Affidavit as per the provisions of Section 58(3) of Juvenile Justice Act and Regulation 11(1) of the Adoption Regulations of CARA.

5. The second and third petitioners have undertaken in the said Pre-Adoption Foster Care Affidavit that they will allow the authorized social worker of the Specialized Adoption Agency to visit their home for undertaking post-adoption follow-up to ascertain the progress and well-being of the child in the adoptive family as per section 58(5) of the Juvenile Justice Act.

6. The second and third petitioners have further undertaken to inform any change in the place of their residence to the Specialized Adoption Agency and to the State Adoption Resource Agency concerned and to this Court for the purpose of post adoption Follow-up.

7. The second and third petitioners have also undertaken to upbringing



the said child as their own and to accord the same status, rights and privileges to the child at par with the natural born child as provided in pre-adoption foster care affidavit.

8. The first petitioner which is a Specialized Adoption Agency has decided to place the child in adoption as per decision of the Adoption Committee dated 14.09.2021.

9. In the petition filed in support of this O.P.No.645 of 221, the petitioners have also stated that they have not filed any other application for the adoption of the said child in any other Court of Law.

10. Before the learned Master, the first petitioner through its authorized representative Sister L.Malar was examined as PW1. In her deposition, she has reiterated the contents of the petition filed in support of O.P.No.645 of 2021. In support of the contents of the petition filed in support of O.P.No.645 of 2021, through PW1, the following documents were marked as exhibits:

<i>Exhibits</i>	<i>Nature of documents</i>
P1	Original Home Study Report dated 28.08.2021
P2	(Series 2 Nos.) the Original Child Study and Medical Reports dated 14.09.2021
P3	Photocopy of the Child Welfare Committee Order dated 29.07.2021
P4	Photograph of the minor child Aparna
P5	Photocopy of the Decision of the Adoption Committee dated 14.09.2021
P6	Affidavit by chief functionary of specialized adoption agency dated 14.09.2021.



the petitioners 2 and 3 for the minor child Aparna who was born on 21.01.2021. Accordingly, this Original Petition is allowed as prayed for.

13. In the result, the following reliefs are granted:

(a) The second and third petitioners who are the prospective adoptive parents are permitted to adopt the minor Aparna and declared as the parents of the said minor, for all purposes allowed by the law; and

(b) The Birth Certificate Issuing Authority, Cantonment Board, St. Thomas Mount cum Pallavaram, Chennai – 16 is directed to issue Birth Certificate for the said child within five working days from the date of application, as per the provisions of Regulation 36 of the Adoptive Regulations of CARA.

Sd./-A.Q.J
16.12.2021

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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