



WEB COPY



W.P.No.526 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.526 of 2024

Sumini

..... Petitioner

VS.

1.The Chairman,
Child Welfare Committee (CWC),
Purasaiwakkam, No.300,
Purasaiwakkam High Road,
Kellys, Chennai – 600 010.

2.The District Child Protection Officer,
No.58, Suriya Narayana Road,
Singaravel Nagar, Royapuram,
Chennai – 600 013.

3.The Chairman,
Kalaichelvi Kaunalaya Social,
Welfare Society,
Specialized Adoption Agency,
No.PP1, 3rd Block, Mogappair West,
Chennai.

4.Fatima

5.The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai,

(R-5 Suo Motu impleaded as per order dated 30.01.2024 in
W.P.No.526/2024 by ASMJ)

1/6



W.P.No.526 of 2024

6. The District Social Welfare Officer,
Singaravelar Maligai, Collector Office,
Chennai – 600 001.

7. The District Collector,
Singaravelar Maligai, Collector Office,
Chennai – 600 001.

(R6 and R7 are suo motu impleaded as per order
dated 16.02.2024 in W.P.No.526/2024 by ASMJ)

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to permit the petitioner to visit baby Arulrani @ Abila, female aged 6 months and Master Deva @ Abel twice in a week at 3rd respondent's office.

For Petitioner	: Mr.B.Krishnan for Mr.B.Chandran
For R1, R2 and R6, R7	: Mr.G.Ameedius Government Advocate
For R5	: Mr.L.Baskaran Government Advocate (Crl.side)

ORDER

This writ petition is filed seeking a direction to the respondents 1 and 2 to permit the petitioner to visit baby Arulrani @ Abila, female, aged 6 months and Master Deva @ Abel twice in a week at 3rd respondent's home.



W.P.No.526 of 2024

2. It is the case of the petitioner that she is running a Trust under the name and style of M/s.Maria Mercy Mission Teresian Charitable Trust. On 28.1.2019, a deserted lady named Fathima and above mentioned children were admitted in the facility of the petitioner's Trust, as per the order passed by the first respondent. Subsequently, the mother of the children left the petitioner's home and absconded and a complaint was lodged before P6 Kodungaiyur Police Station. Thereafter, by order dated 14.02.2022, the first respondent removed the two children from the custody of the petitioner. Later, it came to the knowledge of the petitioner that they were in the custody of the Mohamed Jeelani who is a person known to mother of the children. When the petitioner attempted to take care of the children, the above said Mohamed Jeelani handed over the children to the first respondent. Now the children are in the custody of the 3rd respondent home as per the order passed by the first respondent. The petitioner submitted a representation before the first respondent seeking permission to visit the children who are in the custody of the 3rd respondent, the same has not been considered, hence the petitioner has come before this Court.



W.P.No.526 of 2024

3. The learned counsel appearing for the petitioner vehemently submitted that earlier the children were under the custody of the petitioner for sometime and therefore, the petitioner may be permitted to visit the children who are in the custody of the 3rd respondent.

4. Narration of the facts make it clear that the children are in the custody of the 3rd respondent home, as per the order passed by the first respondent. The petitioner is not a guardian or blood relation of the children. Merely because the children were at the hands of petitioner for sometime earlier, the petitioner is not entitled to seek visitation right. Therefore, this Court is not inclined to entertain the writ petition filed by the petitioner and accordingly, writ petition stands dismissed. No costs.

24.01.2025

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
ub



W.P.No.526 of 2024

WEB COPY To

- 1.The Chairman,
Child Welfare Committee (CWC),
Purasaiwakkam, No.300,
Purasaiwakkam High Road,
Kellys, Chennai – 600 010.
- 2.The District Child Protection Officer,
No.58, Suriya Narayana Road,
Singaravel Nagar, Royapuram,
Chennai – 600 013.
- 3.The Chairman,
Kalaichelvi Kaunalaya Social,
Welfare Society,
Specialized Adoption Agency,
No.PP1, 3rd Block, Mogappair West,
Chennai.
- 4.The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai,
- 5.The District Social Welfare Officer,
Singaravelar Maligai, Collector Office,
Chennai – 600 001.
6. The District Collector,
Singaravelar Maligai, Collector Office,
Chennai – 600 001.



WEB COPY



W.P.No.526 of 2024

S.SOUNTHAR, J.

ub

W.P.No.526 of 2024

24.01.2025