



W.P.(MD)No.1854 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.01.2026**

CORAM

THE HONOURABLE **Mr. JUSTICE KRISHNAN RAMASAMY**

W.P.(MD)No.1854 of 2026

Abdul Ajish

...Petitioner

vs.

1. The District Registrar,
Madurai, Madurai District.

2. The Sub Registrar,
Cholavanthan, Madurai District.

3. M.Karunaharan

4. Viji

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the 2nd respondent to register the Adoption Deed presented by the petitioner vide Temporary Acknowledgement Receipt No.TP/243849707/2025 dated 29.12.2025.

For Petitioner : Mr.J.Vimal Pandian

For Respondents : Mr.V.Omprakash
Government Advocate
for R1 and R2



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ORDER

This Writ Petition has been filed to direct the second respondent to register the Adoption Deed presented by the petitioner vide Temporary Acknowledgement Receipt No.TP/243849707/2025, dated 29.12.2025.

2. Mr.V.Omprakash, learned Government Advocate takes notice for the respondents 1 and 2. Since no adverse orders are going to be passed as against the respondents 3 and 4, notice to them is dispensed with.

3. By consent on either sides, this Writ Petition is taken up for final disposal at the admission stage itself.

4. The learned counsel appearing for the petitioner would submit that the petitioner is the Muslim biological father, who intend to give his minor female child, aged about 3 years, in adoption to Hindu couple. Hence, the petitioner presented an adoption deed before the second respondent for registration. However, the same is kept pending without registration till date. Hence, the present petition.

5. The learned Government Advocate appearing for the respondents 1 and 2 would submit that, in the present case, a Hindu couple intends to adopt



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a Muslim child and such an adoption cannot be registered under the Hindu Adoption and Maintenance Act, 1956. In the event, if the biological parents of the child were also Hindu, then the adoption can be registered under the Hindu Adoption and Maintenance Act, 1956. He would submit that, in the present case, the petitioner has to give his child in adoption as per the provisions of Sections 56, 57, 58 and 59 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

6. I have given due consideration to the submissions made on either sides.

7. Upon perusal of the provisions of the Hindu Adoption and Maintenance Act, 1956, it is clear that, only if the parents who give the child in adoption and the couple who adopt the child are both Hindu, then the adoption can be registered as per the Hindu Adoption and Maintenance Act, 1956. In the present case, as the biological father of the child is a Non-Hindu, adoption can very well be made as per the provisions of Sections 56, 57, 58 and 59 of the Juvenile Justice (Care and Protection of Children) Act, 2015. Such being the case, the petitioner is at liberty to follow the procedures laid down in the Juvenile Justice (Care and Protection of Children) Act, 2015 and proceed further in accordance with law.



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8. In the result, this Writ Petition is dismissed. No costs.

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Speaking / Non-speaking order

Index : Yes/No

NCC : Yes/No

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To

1. The District Registrar,
Madurai, Madurai District.
2. The Sub Registrar,
Cholavanthan, Madurai District.



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KRISHNAN RAMASAMY, J.

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