



W.P.Crl.(MD)No.998 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.Crl.(MD).No.998 of 2026

and

WP.MP.Crl.(MD)No.262 of 2026

Manimaran

... Petitioner

Vs

1. The State of Tamilnadu,
Rep by its Secretary,
Social Welfare and Women Empowerment Department,
Secretariat, Chennai.
2. The Superintendent of Police,
Tiruchirappalli District.
Tiruchirappalli.
3. The Deputy Superintendent of Police,
Musiri Sub Division,
Tiruchirappalli District.
4. The District Child Protection Officer,
Tiruchirappalli District.
Tiruchirappalli.
5. The Special Adoption Agency,
Succeed Child Adoption Rearing Centre,
(Cara Recognised Institution)
Mambazhasalai,
Tiruchirappalli.



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6. The Inspector of Police,
Thuraiyur Police Station,
Tiruchirapalli.

7. Setha

8. Sumathi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the sixth respondent to considering the petitioner's representation dated 07.02.2026.

For Petitioner : Mr.A.Azhageson

For R-1, 4 & 5 : Mr.M.Muthumanikkam
Government Advocate (Civil side)

For R-2 & R-3 : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.side)

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to directing the sixth respondent to considering the petitioner's representation dated 07.02.2026.

2. Since the writ petitioner did not have any child through their marriage,



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they wanted to adopt one. They claim that the seventh respondent had given birth to a male child. The petitioner claim that the said child was handed over to them on 31.08.2025. The child was named as Dev Maan. The child was with them for about four months. On 08.01.2026, the fourth respondent took the child away from the writ petitioner and handed him over to the fifth respondent. Hence, the writ petition has been filed seeking a direction to the sixth respondent to consider the petitioner's representation dated 07.02.2026.

3. The Juvenile Justice (Care and Protection of Children) Act, 2015 prescribes the relevant procedure regarding adoption. The fifth respondent is the authority constituted under the said statute. It is beyond dispute that the petitioner has not acted in tune with the prescribed procedure. However, the fact remains that the child in question was under the care and custody of the petitioner for over four months and that a bonding had developed between them. Hence, this Court is inclined to regularize in the interest of the child.

4. The fourth respondent is directed to hand over the child to the petitioner forthwith. However, the petitioner shall comply with all the procedures in accordance with law.



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5. With the above direction, this writ petition is disposed of. No Costs.

Consequently, connected miscellaneous petition is closed.

23.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

jbr

NOTE: Issue order copy on 24.02.2026

To

1. The State of Tamilnadu,
Rep by its Secretary,
Social Welfare and Women Empowerment Department,
Secretariat, Chennai.

2. The Superintendent of Police,
Tiruchirappalli District.
Tiruchirappalli.

3. The Deputy Superintendent of Police,
Musiri Sub Division,
Tiruchirappalli District.

4. The District Child Protection Officer,
Tiruchirappalli District.
Tiruchirappalli.



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5. The Special Adoption Agency,
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Mambazhasalai,
Tiruchirappalli.

6. The Inspector of Police,
Thuraiyur Police Station,
Tiruchirapalli.

7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

jbr

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23.02.2026