



W.P.(MD) No.17705 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.17705 of 2026

R.Karthi

... Petitioner

Vs.

1.Chief Registrar of Births and Deaths,
Department of Public Health and Preventive Medicine,
359, Anna Salai, DMS Campus,
Teynampet, Chennai - 600 006.

2.District Registrar of Births and Deaths,
District Revenue Officer,
Dindigul.

3.Executive Officer (Registrar of Births and Deaths),
Palani Municipality,
Palani.

4.The Central Adoption Resource Authority (CARA),
Ministry of Women & Child Development,
Govt. of India, West Block – 8, Wing – 2,
2nd Floor, R.K.Puram, New Delhi – 110 066.

5.The District Child Protection Officer,
3rd Floor, New Building,
District Collectorate Campus, Alwarpuram,
Madurai – 625020.

... Respondents

[R4 and R5 are *suo motu* impleaded vide order dated 25.06.2026]



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the first respondent to include the name of the petitioner and his spouse as Foster Parents in the Birth Certificate bearing Registration No.B-2022-33-15994-001280, based on the petitioner's representation dated 06.06.2026.

For Petitioner : Mr.S.Ramanathan

For R1 to R3 and R5 : Mr.S.Vashik Ali
Standing Counsel

For R4 : Mr.K.Govindarajan
Deputy Solicitor General of India

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the first respondent to include the names of the petitioner and his spouse as foster parents in the Birth Certificate bearing Registration No.B-2022-33-15994-001280, based on the petitioner's representation dated 06.06.2026.

2. Upon consideration of the petitioner's case, it is seen that the child was left in the care and custody of the petitioner by the biological mother and has since been under his care. The whereabouts of the biological mother is presently unknown. In the said circumstances, the petitioner has approached this Court by placing reliance upon the order



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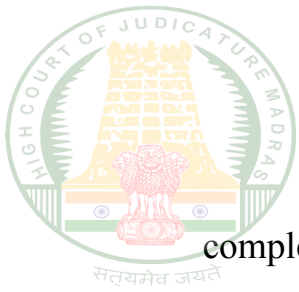
passed by this Court in **Durgadevi vs. Chief Registrar of Births and**

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Deaths and Others [W.P.(MD) No.8267 of 2026, dated 27.03.2026].

3. A perusal of the said judgment would show that it was rendered in the peculiar facts of that case, wherein this Court took into account the rights of the child upon attaining majority and the practical difficulties that could arise when the names of the foster parents were reflected in all other records and certificates, while the Birth Certificate alone contained different particulars. The factual matrix of the present case stands on a different footing.

4. In the present case, the child, who is of a tender age, is presently under the foster care of the petitioner and his wife. The petitioner and his spouse have expressed their willingness to adopt the child. In view of the fact that the child requires care and protection and the biological mother is not traceable, the provisions relating to adoption under the Juvenile Justice (Care and Protection of Children) Act, 2015, would govern the field. The competent authority shall, in the first instance, take appropriate steps for recognition of the foster care arrangement and entrust the child to the care of the petitioner in accordance with law. Thereafter, upon



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completion of the necessary procedures, including submission of the requisite inspection and assessment reports, the process of adoption shall be considered and finalized by the competent authority. Upon completion of the adoption proceedings in the manner prescribed under the Act and the Rules framed thereunder, consequential entries shall be made in the Birth Certificate reflecting the particulars of the adoptive parents in accordance with law.

5. In view of the above, this Writ Petition is disposed of on the following terms:

(i) The petitioner shall submit an online application in the prescribed manner. Upon receipt of such application, the competent authority shall consider and process the same in accordance with law and take necessary steps for completion of the adoption proceedings.

(ii) Having regard to the peculiar facts and circumstances of the case, the competent authority shall accord priority to the petitioner's application and process the same expeditiously, without insisting upon the usual order of seniority.



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(iii) The absence of the biological mother and the immediate necessity of ensuring care and protection to the child shall be taken into consideration by the authorities while processing the petitioner's application.

(iv) Upon completion of the statutory process, the competent authority shall carry out the necessary entries in the Birth Certificate in accordance with law. In the meantime, if the child is presented for admission before any school or educational institution, the same shall not be denied merely on the ground that the petitioner's name has not yet been entered in the Birth Certificate. The concerned educational institution shall admit the child on the strength of the petitioner's status as the foster parent, pending completion of the adoption proceedings and consequential correction of the Birth Certificate.

(v) No costs.

25.06.2026
(2/2)

NCC : No
smn2
To

1.Chief Registrar of Births and Deaths,
Department of Public Health and Preventive Medicine,
359, Anna Salai, DMS Campus,
Teynampet, Chennai - 600 006.



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D.BHARATHA CHAKRAVARTHY, J.

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