



213

861

ROC.NO.1790A/2001/B5.

Dated: 02-06-2014

CIRCULAR

Sub:- Subjecting Child Adoption petitions to scrutiny and calling for Reports from Adoption scrutinizing Agency in all child Adoption /Guardianship petition filed under the Hindu Adoption and maintenances Act or Guardian and wards Act or The Juvenile Justice (care and protection of children) Act 2000 Amendment Act 2006 Directions issued -- Reg.

Ref:- 1. This Court's Circulars in ROC.NO.1790A/2001/B5 dt.17.07.2001 & 21.02.2002.  
2. Letters Dt.28.01.2002 & 12.02.2002 from the Hon. Gen Secretary, Indian Council of Social Welfare (T.N.)  
3. Lr. No. ICCW/SCR/2014-2015/043 dt. 22.04.2014 from the Hon. General Secretary Indian Council for Child Welfare (T.N.)

\*\*\*\*\*

In continuation of this High Court's Circulars even No. dt. 17.07.2001 & 21.02.2002, the following further directions are issued in view of the request made by the Indian Council of Child Welfare (Tamil Nadu State Branch), with regard to Child Adoption petitions, Guardianship petitions.

The Hon'ble Supreme court held in the Judgment of LAKMI KANT PANDEY v UNION OF INDIA case, reported in AIR1984 SC.469, that in all the matters pertaining to inter country adoption,

Mr. 562  
So. M. Circulation  
to all Judicial  
officers in this  
district including  
L.S.A., Sec.  
Mr. 562

the recognised social or Child Welfare Agency must prepare a child study report through professional social worker, giving all relevant information so as to assist the court in coming to a decision whether it will be for the welfare of the child given in adoption to the foreigner wishing to adopt it.

Therefore, even in the case of adoption within the country, where placements are done by persons other than the biological parents, the High Court, with a view to eliminate the possibility of the child being adopted by unsuitable and undesirable parents, hereby, directs all the Subordinate Courts to issue notice to the Indian Council for Child Welfare, Tamil Nadu in the case of petitions filed under Hindu Adoption and Maintenance Act and also to get the study report so as to assist the Court arriving at a decision whether it will be for the welfare of the child given in adoption.

High Court, Madras  
Dt. 02- 05-2014.

  
REGISTRAR GENERAL

- 1) All the Principal District Judges / Heads of Units (with request to circulate this to all the Subordinate Officers under their control)
- 2) The Principal Judge, City Civil Court, Chennai
- 3) The Principal Judge, Family Court, Madras
- 4) The I Additional Judge, Family Court, Madras