



DATED: 21.02.2002

CIRCULAR

Sub:- Adoption scrutiny for all adoptions within the
Country - in the case of petition filed under
Hindu Adoption and Maintenance Act -
Direction issued to Subordinate Courts - Reg.

- Ref:- 1. This Courts Circular ROC .NO. 1790/A/2001/B5
DT. 17.07.2001
2. Lr.Dt. 28.01.2002 & 12.02.2002 from the Hon. Gen.
Secretary, Indian Council of Social Welfare (T.N)

In continuation of this High Court's Circular even No. dt. 17.07.2001, the following further directions are issued in view of the request made by the Indian Council of Social Welfare (Tamil Nadu State Branch).

It is to mention that the Hon'ble Supreme Court held, in the Judgment of **LAXMI KANT PANDEY v. UNION OF INDIA** case, reported in AIR 1984 SC. 469, that in all the matters pertaining to inter country adoption 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,

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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 and Indian Council of Social Welfare, Tamil Nadu in the case of petitions filed under Hindu Adoption and Maintenance Act and also ~~to~~ get their study report so as to assist the Court in coming to a decision whether it will be for the welfare of the child given in adoption.

/By Order/

High Court, Madras

Dt. 21.02.2002

[Signature]
14/3/2002
REGISTRAR (A.S.)

To

1. All the Principal District Judges (with request to circulate this to all the Subordinate Officers under their control)
2. The Principal Judge, Family Court, Madras
3. The Principal Judge, Family Court, Madurai
4. The Principal Judge, Family Court, Salem
5. The Principal Judge, Family Court, Coimbatore.
6. The Sub Assistant Registrar (Original Side) High Court, Madras
7. The Sub Assistant Registrar (Appellate Side) High Court, Madras.

Copy to :

1. The Hon. General Secretary
Indian Council of Social Welfare
32, Casa Major Road, Egmore,
Chennai - 600 008. (vide Letter dated 28.01.2002 & 12.02.2002)

The Hon. Gen. Secretary,
Indian Council for Child Welfare (Tamil Nadu),
5, 3rd Main Road,
West Shenoy Nagar,
Chennai - 600 030.
(Ref: ICCW/ADOP/99/2000 dt. 26.11.99)

A.No. 70 /2002 :-

Copy communicated to all the Courts in the Civil Unit of Madurai District.

Copy to the Sherishtadar, Head Clerk, O.P. Clerk, District Court, Madurai.

Spare 3 copies.

[Signature]
21/2
Personal Assistant
to the District Judge