**The plea to substitute name of biological father with the name of adoptive father dismissed: Madras High Court**

A plea u/s 56 (2) of Juvenile Justice (Care and Protection of Children) Act, 2015 r/w regulation 52(4) and 55(2) of the Adoption Regulations, refused to substitute the name of the biological father with the name of the adoptive father. The plea was filed so that the minor child can be entitled to the legal status of the biological daughter of the adoptive father and all the rights of succession and inheritance can be vested held **by Justice P.T.Asha** in **Viveknarendran versus N.Srividya [O.P.No.103 of 2020].**

The case relate to the facts wherein the Petitioner was the adopted father and the biological / natural mother of the minor V.Sahanaa was seeking direction from this **Court** that the petitioner be appointed as a father of the minor female child,V.Sahanaa and consequently the minor child be entitled to legal status of biological daughter with all the rights of succession and inheritance in respect of the adopted father and to direct the Authorities to re-issue or modify the birth certificate of the minor V.Sahanaa.

The **Hon’ble Court** while dismissing the plea expounded that “adoption does not sever the relationship of the minor with the biological father, the only exception being when the biological father himself renounces his right as a father and consents for the child to be taken in adoption by the adoptive father”. The **Hon’ble Court** further observed that even in such cases, it is my view that the status of being the biological father does not change. “It is only the status of an adoptive father, custody and maintenance of the minor that changes hands”.

The **Hon’ble Court** while examining S. 15 of the Registration of Births and Deaths Act, 1969 which provides for the circumstances in which the entry in register of births and deaths can be corrected, observed that the original entry cannot be corrected or deleted and incorporation of new details can only be made in the margin.

The learned Judge had also held that the fundamental premise, on which, the Hindu Law of Adoptions proceeds is that the relationship between the biological parents and the children can never get severed, except in accordance with the provisions of this Act.

Finally, decision taken by **Hon’ble Court** that the original birth certificate issued to the minor Sahanaa at the time of her birth shall remain unaltered.