



REPUBLIC OF KENYA



KENYA LAW
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**In re KNN (Minor) (Adoption Cause 4 of 2022)
[2023] KEHC 18445 (KLR) (31 May 2023) (Judgment)**

Neutral citation: [2023] KEHC 18445 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISII
ADOPTION CAUSE 4 OF 2022**

PN GICHOHI, J

MAY 31, 2023

JUDGMENT

1. The Applicant N.N.N herein seeks to adopt the minor in her capacity as an aunt to the minor and sister to the Minor's mother who is deceased . The deceased was not married and did not disclose the father of the Minor and since her demise, no one came to claim the Minor as his child. The minor was left in the care of E. K. who is a sister to the deceased and the Applicant. In the application dated October 5, 2022, the proposed guardian Ad Litem for purposes of the adoption proceedings is V. M. O who is a wife to the cousin of the Applicant and it was allowed but her role is over. EKN who is a sister to the deceased mother of the Minor herein was entrusted and has been staying with the Minor here since their sister's death.
2. The Applicant lives and works in the USA and has been providing for all the financial needs of the Minor including school fees here in Kenya , uniform , clothing, toys and basically everything she needs since her mother's demise. That even before minor's mother died in September 2020, the applicant's bond with the Minor was strong and they used to chat over the phone using the deceased's phone without any assistance.
3. The applicant told the court that her own mother died when she was only one month old and therefore did not wish the minor to go through what she (applicant) went through growing up without a mother. She wanted to love the Minor , care for her and let her be as a child and do the best she can as her sister did before her demise.
4. The County Director of Children Services prepared his report and told this court that this is a kinsman adoption and that due process was followed as per the Children's Act. He found the applicant suitable . The Adoption Society's Report is that the minor is adoptable. That he visited the family and in the presence of the area chief, they were all in agreement that the Minor be adopted by the Applicant . He concluded that in the best interest of the child, the Adoption Order should be granted .
5. I had the opportunity to see the parties and talk to the minor physically and the applicant (who had travelled here from the USA) and the other family members in the presence of the County Director of Children Services and a representative from KKPI Adoption Society. The bond and love between the



Minor and the Applicant was obvious . No doubt she will not only get care and protection but will also find love of a mother from the applicant who is obviously able to.

6. In the circumstances the application is allowed in the following terms.
 1. The Applicant N.N.N be and is hereby authorised to adopt K.N.N.
 2. The Registrar General be and is hereby directed to make the appropriate entries in the Adopted Childrens Register.

DATED, SIGNED AND DELIVERED BOTH VIRTUALLY AND IN OPEN AT KISII THIS 31ST DAY OF MAY, 2023

Patricia Gichohi

Judge

In the presence of:

N.N.N Applicant

Kevin Isindu, Court Assistant

