



REPUBLIC OF KENYA



**KENYA LAW**  
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**In re PM (Child) (Adoption Cause E001 of 2021)  
[2022] KEHC 15957 (KLR) (25 November 2022) (Ruling)**

Neutral citation: [2022] KEHC 15957 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MAKUENI  
ADOPTION CAUSE E001 OF 2021  
GMA DULU, J  
NOVEMBER 25, 2022  
IN THE MATTER OF THE ADOPTION OF BABY PM (CHILD)**

**IN THE MATTER OF**

**JMM ..... 1<sup>ST</sup> APPLICANT  
AMN ..... 2<sup>ND</sup> APPLICANT**

**RULING**

1. Before me is an originating summons dated November 12, 2021 filed under section 154, 156, 157, 158, 159, 160, 162 and 163 of the [Children Act, 2001](#), seeking the following orders –
  - i. That the requirements of section 158(4) (a) of the [Children Act](#) be waived as provided by section 159(1) of the Act.
  - ii. That RMM in the said Republic be appointed Guardian ad litem in the case.
  - iii. That the applicants (JMM and AMN) be authorized to adopt baby PM and the baby be known as JMM.
  - iv. JKK and SNK be appointed the legal guardian of the child.
  - v. That the Director of Children’s Department do investigate the case and file a report .
  - vi. And it is directed that the Registrar General shall make in the adopted Children’s register an entry recording the adaption in accordance with the particulars set out in the schedule attached hereto.
2. This matter came before court on June 7, 2022, when this court appointed RMM as the *guardian ad litem*, and asked the Director of Children Services to investigate the case and file a report on the suitability of the applicants to adopt the child.



3. On July 8, 2022, and October 28, 2022 respectively the representative of the Director of Children Services, and the guardian ad litem presented their reports to the court.
4. Both reports which were filed, were to the effect that the applicants herein are qualified to adopt the child, and that the proposed adoption is in the best interests of the child.
5. Having myself perused and considered the application, documents filed and the reports of the guardian ad litem and Director of Children Services, as well as the applicable law, am of the view that the adoption is in the best interests of the child, as the child will now be able to grow up in a family with parents to care and guide him.
6. I thus allow the application and order as follows –
  - i. That the requirements of section 158(4) of the *Children Act* be and are hereby waived as provided by section 159(1) of the *Act*.
  - ii. The applicants JMM and AMN be and are hereby authorized to adopt baby PM and the baby will henceforth be known as JMM.
  - iii. That JKK and SNK be and are hereby appointed the legal guardians of the child.
  - iv. It is hereby directed that the Registrar General shall make an entry in the Adopted Children’s Register recording the adoption herein.

**DATED, SIGNED AND DELIVERED AT MAKUENI IN OPEN COURT THIS 25<sup>TH</sup> DAY OF NOVEMBER, 2022.**

.....  
**GEORGE DULU**  
**JUDGE**

