



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KERICHO

ADOPTION CAUSE NO.10 OF 2018

IN THE MATTER OF THE CHILDREN'S ACT NO. 8 OF 2001

AND

IN THE MATTER OF NS alias TNW (CHILD)

JMWM.....APPLICANT

JUDGMENT

1. The Applicant in this case JMWM (hereafter referred to as the Applicant) filed this Originating Summons (OS) dated 27/9/2018 seeking authority to adopt Baby NS alias TNW (hereafter referred to as the child).
2. The Applicant is an adult Kenyan Citizen aged 51 years old and a committed member of [Particulars Withheld] CHRIST CHURCH fellowship.
3. The Applicant is single and a mother of three other biological children namely:-
 - (i) **EEJMG**
 - (ii) **FM and**
 - (iii) **EKG**
4. The Applicant earns a monthly salary of Kshs.100,000/= from her Insurance Agency and she jointly owns a Parcel of land with her son EEMG at Nakuru.
5. The Applicant is in good health and has no criminal record as evidenced by the Medical Report and Certificate of good Conduct filed herein.
6. The child was found abandoned around Nakuru Central Police Station on 31/12/2013 and the matter was reported to Nakuru Police Station vide OB No.83/31/12/13 as per initial police letter dated 14/1/2014.
7. The child was taken to the African Gospel Church Baby Centre for care and Protection on 1/1/2014 and subsequently the Nakuru Children's Court Committed the child to the home on 29/1/2014 vide protection and care case No. xx/2014 for a period of 3 years.
8. The Nakuru Police Station conducted investigations and subsequently issued a second letter dated 24/7/2014 confirming that efforts to trace the parents of the child bore no fruits.
9. The child was declared free for adoption by the Kenya Children's Adoption Society Case Committee on 13/8/2014 and a Certificate Serial No.xxxx was issued dated 13/8/2014.
10. The child was placed in the care of the Applicant on 29/8/2014. The Guardian Ad Litem filed a Report in Court on 15/10/2019 stating that the child has bonded well with the Applicant.
11. The Sub-County Children Officer Kericho also filed a report dated 1/10/2019 and recommended the adoption. The Applicant's first born son gave consent for the adoption.
12. I find that the applicant meets the threshold for adoption of the child.

13. It is therefore in the best interest of the child that this Originating Summons be allowed.

14. I allow the Originating Summons dated 27/9/2018 in the following terms:-

(i) THAT the applicant be and is hereby authorized to adopt Baby NS alias TNW.

(ii) THAT the child shall henceforth be known as TNW.

(iii) THAT the date of birth of the child shall be 1/3/2013.

(iv) THAT the child shall be declared a Kenyan Citizen.

(v) THAT the Registrar General be and is hereby directed to enter this adoption in the Adopted children Register and to issue a birth certificate.

(vi) THAT JWM be and is appointed Legal Guardian of the child in case of incapacity of the applicant before the child attains the age of maturity.

(vii) THAT the Guardian Ad Litem of the child be and is hereby discharged.

DELIVERED, SIGNED AND DATED AT KERICHO THIS 20TH DAY OF DECEMBER 2021.

A. N. ONGERI

JUDGE