



**REPUBLIC OF KENYA**

**IN THE HIGH COURT AT NAKURU**

**ADOPTION CAUSE NO. 23 OF 2017**

**IN THE MATTER OF AN APPLICATION FOR ADOPTION OF (MINOR) JK ALSO KNOWN AS MMM**

**AND**

**AM.....APPLICANT**

**RULING**

1. The applicant AM is a single woman with no biological child of her own. She desires to adopt a child by her Originating Summons taken out on the 18<sup>th</sup> May 2017.

On the 18<sup>th</sup> October 2018, the court granted her Orders No. 1, 2 and 3.

CWM was appointed guardian *Ad litem* to the minor, JK also known as MMM.

2. The consent of the biological parents was also dispensed with as the minor was abandoned at Mathare area in Nairobi, rescued and placed at the Happy Life Christian Home for 3 years on the 30<sup>th</sup> October 2009.

3. On the 24<sup>th</sup> January 2012, the minor was placed for foster care pending adoption with the applicant who has since stayed with the minor.

**By this application**, the applicant seeks to be authorised to adopt the minor, to be known as MMM.

4. The Director of Children's Services has filed its report on the suitability of the prospective adoptive parent/Applicant.

It is dated the 24<sup>th</sup> April 2019. It is recommended for the applicant to be authorised to adopt the minor.

5. The applicant is 54 years old and has a home of her own build on her land parcel at [particulars withheld] estate at Naivasha and another at [particulars withheld] in Gilgil – 0.467 Acres where she does farming and small scale business. At Kiambu, the applicant has more land where she plants tea and earns an income from the tea. She has saved money in her bank account at Family bank. She is financially capable and stable to provide for the minor. She is also a pensioner with a monthly pension of Kshs.11,905.

6. The applicant understands her parental responsibilities to the minor including inheritance rights and this has been explained to her siblings and relatives.

The minor is now 14 years old having been born on the 23<sup>rd</sup> January 2005. Her immediate and extended family have supported her desire to adopt. She is also social, spiritual and moral standing in the community. She is a member of the P.C.E.A Naivasha East Parish.

7. The Applicant is ready and willing to give the minor a permanent home, care, love and protection.

The minor attends school at [particulars withheld] Primary school, and now in primary class seven (7).

8. There being no adverse reports about the applicant or her family, I am satisfied that the applicant meets all pre-adoption conditions for an adoption order pursuant to Part XII of the Children's Act.

9. I therefore authorise the applicant **AM** to adopt the minor child, **JK**, also known as **MMM** and **CWM** is appointed the Legal Guardian of the minor.

**10. These orders shall be extracted and served upon the Registrar – General, and the Registrar of Births and Deaths for compliance,**

by placing the child's name in the Adoption Children's Register and the issuance of a Birth Certificate to the minor in his new names MMM.

Orders accordingly.

**Delivered, Signed and Dated at Nakuru this 24<sup>th</sup> Day of October 2019**

.....

**J.N. MULWA**

**JUDGE**