

KTI.NO.141/16

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KITUI

ADOPTION CAUSE NO. 2 OF 2016

IN THE MATTER OF BABY S D

K K)

C M M).....APPLICANTS

VERSUS

S D AKA V K.....MINOR

R U L I N G

1. **D K K** and **C M M**, the Applicants herein approached the court by way of Originating Summons seeking to adopt **Baby S D** (child) a male infant who was born on or about the 27th day of **December, 2012** and was found abandoned by his mother at her employers' house in **Athi River**. Upon abandonment he was placed under care at **Pahali Pa Maisha Children's Home** by the **Mavoko Children's Court** on the 1st day of **November, 2013**. Subsequently the child was placed under the care of the Applicants.

2. By a certificate **Serial No. [Particulars withheld]** issued by the **Kenya Children's Home Adoption Society**, the child was declared free for adoption on the 21st day of **May, 2014**. In a report filed by the **Adoption Society** which investigated the Applicants by conducting a home visit, they were approved as suitable adoptive parents. Following a court order the **County Children Coordinator** carried out an inquiry in respect of the Applicants. He opined that they have the ability to take up parental responsibility and custody of the child. In the course of fostering the child they offered him warmth and a caring environment that was necessary for social, mental and physical development of any child.

3. The Applicants herein are married and have been in the relationship for **fifteen (15) years**. They adopted a baby girl in **2008**, a child they have raised together. The subject child herein was abandoned by her mother who was a house help. The employers of the mother declined to take him in. He has bonded with the Applicants. It will therefore be in the best interest of the child to be with the Applicants who have the financial ability to support him and also provide him with an environment that will be conducive for his development.

4. In the premises I order as follows:

(i) The Applicants herein be and are hereby authorized to adopt **Baby S D** who shall henceforth be known as **V M K**.

(ii) The guardian ad litem is hereby discharged.

(iii) **J M** is appointed as the legal guardian of the subject child.

(iv) The **Registrar General** shall make an entry of the order herein in the **Adoption Register**.

5. It is so ordered.

Dated, Signed and Delivered at Kitui this 15th day of December, 2016.

L. N. MUTENDE

JUDGE