

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MACHAKOS

ADOPTION CAUSE NO. 3 OF 2013

IN THE MATTER OF BABY V

H M M.....1ST APPLICANT

A M N.....2ND APPLICANT

RULING

1. The applicants **H M M** and **A M N** by way of Originating Summons dated 26th March, 2013 seek to adopt **Baby V**.
2. The subject child was born on 22/2/2011. He was abandoned in house of a neighbour, **I A** at *Muthurwa Estate*. The matter was reported to the police whereby the child was committed to **Missionaries of Charity Home** on 27/2/2012.
3. The **Kenya Children's Home Adoption Society** declared the child free of adoption and issued Certificate No. [particulars withheld] dated 24th April, 2012.
4. On the 10th February, 2014 **J M K** was appointed as the guardian *ad litem* of the child.
5. A social inquiry carried out by the **Kitui Children's Coordinator** establish the fact that the prospective adoptive parents of the child (Applicants) have taken on parental responsibility and proved to be capable of taking care of the child. They have provided the child with a loving and caring environment for ideal development, socially, mentally and physically. He recommended that the adoption was in the best interest of the child.
6. From the foregoing, it is apparent that the applicants herein are suitable to adopt the child. The child having been abandoned, the consent of his biological parents cannot be obtained. It is therefore dispensed with. The guardian *ad litem* did discharge his duties accordingly.
7. In the result I do grant orders as follows:-
 - i. **J M K** the guardian *ad litem* be and is hereby discharged.
 - ii. The Applicants be and are hereby authorized to adopt **Baby V** who will henceforth be known as **E M M**
 - iii. **S W N** who has consented be and is hereby appointed as the Child's legal guardian
 - iv. The child shall assume Kenyan Citizenship
 - v. The **Registrar General** shall enter this **Adoption Order** in the **Adoption Register**.

DATED, SIGNED and DELIVERED at MACHAKOS THIS 18TH day of MARCH, 2015.

L.N. MUTENDE

JUDGE