

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

ADOPTION CAUSE NO. 3 OF 2015

IN THE MATTER OF ADOPTION OF BABY M T

And

IN THE MATTER OF THE APPLICATION FOR ADOPTION

BY

A O O AND C M (APPLICANTS)

JUDGMENT

1. The applicants **A O O** and **C M** seek to be authorised to adopt **baby M T** and if the application is allowed she be called **A Y O**. The applicants were born in 1977 and 1975 respectively and got married to each other on 25th January 2012. They also seek that **M M** be appointed as the Legal Guardian of the child in the event that a misfortune befalls the applicants rendering them unavailable or incapable of taking care of the child.
2. The child in this matter was born on 12th January 2014 and was found abandoned at Mau Mau bridge Kangemi and was taken to Kabiria Health Centre for medical check up. The matter was reported to Muthangari police station as OB 25 of 13/1/2014. The baby was referred and admitted to New Life Home. Later on 23rd July 2014 the child was committed to New Life Home for protection and care under case no. 165 of 2014. Baby M T was declared free for adoption by Little Angels Network on 30th July 2014 and issued with certificate serial number *[particulars withheld]*. The child was placed in the care of the applicants for mandatory bonding on 15th August 2014.
3. The report by the director of Children's services was filed on 29th May 2015 while the guardian ad litem report was filed on 18th June 2015. This is a local adoption and I note that the applicants' have fulfilled the legal requirements for local adoption under the Children Act 2001. That applicants are reported to have proved capable of taking on parental responsibility over the child and both are financially and emotionally capable to provide for the up keep and education of the child. The child is said to have bonded well with the applicants.
4. After a careful assessment of the reports filed herein this court has formed the opinion that it would be in the best interest of the child to be adopted by the Applicants so that she can grow up in a family setting. The application is therefore allowed. The Applicants **A O O** and **C N M** are hereby allowed to adopt baby **M T** and she shall henceforth be known as **A Y O**. **M M** shall be the Legal Guardian of the child should misfortune befall the applicants. I direct the Registrar General to enter this order in the adoption register. The child was born in Kenya and is therefore a Kenyan by birth and is entitled to all the rights that accrue to Kenyan Citizens under the Kenya Constitution 2010 and the Kenya citizenship and immigration Act. I hereby discharge the Guardian ad litem.

It is so ordered.

Dated signed and delivered this 29th Day of **October** 2015.

R. E. OUGO

JUDGE

In the Presence of:

.....**For the Applicants**

Charity

Court clerk