

No. 96/2013

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MACHAKOS

ADOPTION CAUSE NO. 9 2012

IN THE MATTER OF BABY J a.k.a BABY M

VERSUS

MS S N KAPPLICANT

RULING

1. The Applicant herein S N K filed an application dated 20th August, 2012 seeking to adopt **Baby J a.k.a Baby M. M. N .N** was appointed as a guardian *ad litem* of the subject child on the 22nd January, 2013. It was also the applicant's prayer that **E M K** be appointed as the legal guardian of the child.
2. I have carefully read affidavits, documentary evidence and reports filed herein. **Baby J** a female child, likely to have been born on the 23rd December, 2010 was found abandoned by the roadside within M Market, Kanzalu location, Matungulu District. She was committed to Springs of Hope Children's Centre, Machakos, on the 3rd March, 2011. She was placed under the care of the applicant herein on 6th March, 2012 as a foster parent. A certificate of declaration of the child being free to be adopted number 00152 was duly issued on 21st March 2012 by the Little Angles Network.
3. The Applicant herein a female aged 45 years has been fostering the child for one and a half years. She has been taking good care of the child per the report of the District Children's Officer who recommends that it is in the best interest of the child that the adopter (*Applicant*) be granted a custody order.
4. Taking into consideration all these factors, it is just that the child be given an opportunity of having a family that will love her and provide for her basic requirements. Having been abandoned, the consent of her biological parents who are not known is hereby dispensed with.
5. In the premises I do order as follows:-
 - i. The Applicant be and is hereby authorised to adopt **Baby J a.k.a Baby M** who will be known as **C R W**
 - ii. **E M K** be and is hereby appointed as the legal guardian of the child.
 - iii. The Registrar General shall make an entry of this Adoption in the Adopted Children's register in the manner prescribed.

DATED, SIGNED and DELIVERED at MACHAKOS this 27TH day of SEPTEMBER 2013.

L.N. MUTENDE

JUDGE