

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MACHAKOS

ADOPTION CAUSE NO. 1 OF 2013

IN THE MATTER OF ADOPTION OF **M K** (THE CHILD)

VERSUS

M M N**APPLICANT**

RULING

1. **M M N** , the applicant by an application dated 12th February, 2013 seeks to adopt a child **M K**. **Professor F K L** was appointed as guardian *ad litem* of the child having consented. The applicant has also sought **M M** to be appointed as the legal guardian of the child who has consented to act as such.
2. I have perused documents filed in evidence and reports made thereof. **M K** a 17 years old boy was born on 15th February, 1996. The child was found abandoned. He was rescued by members of public who took him to Nakuru Juvenile Remand Home. Then later admitted to CWSK Arap Moi Children’s home. He was placed in care of the applicant herein on 28th November 2006. Currently, he is a student at [*particulars withheld*] Boys High School. A certificate of declaration of the child being free for adoption was issued on the 29th May, 2013 by the Child Welfare Society of Kenya..
3. The applicant having fostered the child for seven (7) years has provided for his basic needs. This is confirmed by a report filed by the guardian *ad litem*. The report filed by the Makueni Children’s Officer recommends the applicant as a person who has bonded with the child and provided him with a permanent place of residence. He opined that it would be in the interest of the child to have him as the adopting parent.
4. Having taken into consideration the recommendations made; the state in which the court saw the child, it will be in his best interest to be provided with a family that he lacked at the point of being abandoned. I do note that the consent of his biological parents who are unknown will not be necessary.
5. I therefore grant prayers as follows:-
 - i. The applicant be and is hereby authorised to adopt **M K** who will now be known as **M M N**.
 - ii. **M M** 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 12TH day of NOVEMBER, 2013.

L.N. MUTENDE

JUDGE