REPUBLIC OF KENYA

High Court at Machakos

Adoption Cause 8 of 2012

IN THE MATTER OF BABY M (THE CHILD)

AND ON THE APPLICATION FOR AN ADOPTION ORDER BY

1. JKK
2. PKM …… APPLICANTS

R U L I N G

Before me is an **Originating Summons** dated 29th June 2012 filed by two applicants **JKK** and **PKM,** a wife and husband, for the adoption of **Baby M**. The application was filed under **sections 154, 157, 159, 160, 163, 164** and **170** of the **Children Act No. 8 of 2001**, and **section 24** of the **Interpretation and General Provisions Act (Chapter 2** of **the Laws of Kenya)**.

On 17th July 2012, a guardian *ad litem* **MK** was appointed.

The child was an abandoned male child, who was found abandoned in **Kiambu** in 2007. He was born in 2007. The child was committed by court to the **Nest Children Home** on application by the **Children Officer** at **Kiambu**. Biological parents have not been traced. The child was declared free for adoption by **Kenya Christian Homes**, a registered adoption society. The child has been in the custody and care of the applicants since the year 2010.

The **Director of Children** has filed a report and recommended that the adoption be granted.

On my part, considering the facts and circumstances of the matter, I am of the view that the adoption will be in the best interests of the child as envisaged under the **Children Act** and the **Kenya Constitution 2010**. It will give this otherwise abandoned child an opportunity to live and be brought up in a family with love and guidance. I will grant the adoption, as the applicants are qualified and resident **Kenya** Citizens. Consequently, I allow the application and order as follows:-

1. **The applicants be and are hereby authorized to adopt Baby M to be known as** Baby MK

2. **The consent of the biological parents is herewith dispensed with.**

3. **The Registrar General is directed to enter this adoption in the adopted children's register in the prescribed manner.**

Dated and delivered at Machakos this **18th** day of **December** 2012.

George Dulu
Judge

In presence of:-

Ms. Ngatia holding brief for Ms. Kalinga for Applicant

Mutinda – Court clerk