

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI (NAIROBI LAW COURTS)
Adoption Cause 160 of 2008

IN THE MATTER OF ADOPTION OF PNN– INFANT

JUDGMENT

The Applicant is a sole female seeking to adopt a male child under the following circumstances.

The child in question is the applicant's maternal nephew. The mother MNK died on 10th May, 1996 who was a single mother, after few months from the birth of the child. He was born on 14th February, 1996. The child has an elder brother who is now adult and has given his consent for such adoption. Their late mother was single. Both the siblings were tended and brought up by the Applicant herein. She has one son also and all three stay as a happy united family. Her son who is of the same age as the child before me are very closely bonded and relate as twins.

The child and his older brother whose father/s is/are unknown have not seen any other family than that given to them by the Applicant. They both regard her as their mother. She is the one who takes care of their physical, educational and emotional needs. The child who is now studying in std. VII understands the process of adoption and has no objection to the proposed adoption.

The applicant is a trained secretary and is working as such with a company known as Vas Motor Mart, Nairobi. She understands and accepts the child's rights of inheritance.

The child is freed for adoption by Child Welfare Society on 8th January, 2009.

Perusing all the three reports i.e. from the Director of Children Department, from Child Welfare Society and guardian ad litem, Mr. Robert Njoroge, I discern that they with one voice recommend the adoption.

I have carefully considered the special circumstances of the present cause. After agreeing with the recommendations for adoption, I exercise my discretion under Section 158(2) (b) of the Children Act, 2001 and allow the sole female applicant to adopt a male child who is just like her own son who was given to her when he was barely three months old.

I thus allow the application and grant the applicant ENW to adopt PNN whose birth date is February, 1996.

I discharge guardian ad litem.

The said orders be entered in the Adoption Register.

Dated and signed at Nairobi this 25th day of May, 2009.

K. H. RAWAL

JUDGE

25.5.09