



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**FAMILY AND PROBATE DIVISION**

**ADOPTION CAUSE NO. 84 OF 2018**

**IN THE MATTER OF THE CHILDREN ACT**

**(ACT NO. 8 OF 2001)**

**AND**

**IN THE MATTER OF BABY TMM**

**AND**

**IN THE MATTER OF AN APPLICATION FOR ADOPTION**

**BY**

**LAA (APPLICANT)**

**JUDGMENT**

**Background:**

1. Before me is an application for adoption of a child **Baby TMM**(name withheld) by way of an Originating Summons, brought pursuant to **Sections 158,159,160,163, 164 and 169** of the Children's Act and **Sections 1A,1B & 3A** of the Civil Procedure Act.

In the application, the Applicant seek to adopt **TMM** and upon adoption the child's name be changed to **TGA** The applicant further seeks that **SAA** be appointed as a legal guardian to the child. Further that the Registrar General do make appropriate entries in the Adoption Register.

2. Following an earlier application, the court appointed one **ENK** as a *Guardian ad litem*, and directed both the Director of the Children's Services Department in Nairobi and the said *Guardian ad litem* to investigate the Applicant's fitness to adopt and file their respective reports

**Reports:**

**3. Director of Children's Service Report**

In a report dated 14<sup>th</sup> December, 2018 Nyabuto Matundura a Principal Children's Officer recommended the adoption. He found the applicant suitable for the adoption.

**4. Guardian Ad litem's Report**

The Guardian ad litem filed a report dated 12<sup>th</sup> March 2019. The report equally recommends the adoption.

The guardian observed that the child was happy with the adoptive parent.

5. Based on the above background the court has formed an opinion that the Applicant has met all the necessary legal requirements and that it will be in the best interest of the child to have the Applicant as her parent.

6. Consequently, the court orders as follows:

- i) **LAA** be and is hereby authorised to adopt **baby TTM** who upon this adoption will be renamed **TGA**.
- ii) The Registrar General do register the adoption and issue a certificate.
- iii) **SAA** be and is hereby appointed as the Legal Guardian of **TGA**.
- iv) Costs in the cause.

**SIGNED DATED and DELIVERED in open court this 19<sup>TH</sup> day of September, 2019.**

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**ALI-ARONI**

**JUDGE**