

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KISUMU

ADOPTION CAUSE NO. 252 OF 2002

R G H.....1ST APPLICANT

H C H.....2ND APPLICANT

AND

APPLICATION BY S N H.....APPLICANT/CHILD

RULING

1. The applicant, who is now an adult was adopted by the **R G H** and **H C H** who are British citizenship, by an order of court made on 26th November, 2002.
2. By a chamber summons dated 24th August, 2018, the child prays for an order to authorize the Director of Immigration to issue her with a Kenyan Passport.
3. The applicant was found abandoned in Nairobi, Kenya and is by operation of Article 14 (4) of the Constitution presumed to be a Kenyan citizen by birth.
4. Consequently, I find and hold that this application has merit and it is allowed in the following terms:-

- a. A declaration be and is hereby issued that the child is a Kenya citizen by birth as provided under Article 14 (4) of the Constitution and is entitled to rights of a citizen as provided under Article 12 (1) of the Constitution.*
- b. The Director of Immigration is hereby directed to issue the applicant/ child with a Kenyan Passport.*
- c. No order as to costs*

DATED AND SIGNED AT KISUMU THIS 4th Day of October 2018

T.W. CHERERE

JUDGE

Read in open court in the presence of-

Court Assistant - Felix

Applicants -Mr Rogo