



**REPUBLIC OF KENYA**

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

**ADOPTION CAUSE NO. 10 OF 2015**

**IN THE MATTER OF BABY M K alias M G (CHILD)**

**AND**

**I W K ..... APPLICANT**

**RULING**

1. The application is brought by way of an Originating Summons and is dated the 29<sup>th</sup> day of January, 2015. The applicant seeks the following Orders;

(a) That **J W M** be appointed as guardian ad litem herein;

(b) That the applicant **I W K** be authorized to adopt baby **M K alias M G**.

(c) That the Honourable Court dispense with the mothers' consent as the baby had been abandoned; and attempts and efforts to trace the parents or relatives of the child have been without success.

1. The baby **M K** was found abandoned on the 15/06/2013 at Mwendantu area in Meru and the case was reported at Meru Police Station and an entry was noted in the Occurrence Book as **O.B NO.48/7/8/2013**.

2. On the **16/09/2013** the Childrens' Court at Meru committed the baby **M K** to the institution known as Ripples International (New Start Centre) Meru for protection and care under Protection Care Case Number **62/2013** and she was declared free for adoption under Section 119 of the Children's Act and a freeing Certificate Serial Number **001460** was issued by the Little Angels Network.

3. The Guardian Ad Litem **J W M** was appointed on the **14<sup>th</sup> March, 2016** and the County Director of Children's Services after visiting and interrogating the applicant filed a favourable report in court on the **29<sup>th</sup> October, 2016** on the applicants' suitability to adopt baby **M K**.

4. After reading and taking into consideration the contents of this report and satisfying myself that all the legal requirements had been adhered it is noted that; the applicant is aged 55 years and therefore her age falls within the prescribed parameters; that she is a widow her husband having passed on in 2001; that she has previously informally fostered children from her family; and her Certificate of Good Conduct is current and valid and she is found to have the means and income to bring up the child suitably.

6. Also upon observing the applicant with the child at the hearing hereof I noted the existence of great love and affectionate bonding; the child appears to be happy, healthy and well taken care of.

7. For the reasons stated above this court is satisfied that the applicant is a suitable person to adopt Baby

**M K**; and that she has the resources to provide and take care of baby **M K**.

**DETERMINATION**

8. The application for the adoption of baby **M K** is hereby allowed; the applicant is hereby allowed to adopt baby **M K**; She shall be known as **KSG**.

9. The Registrar General is hereby directed to enter this Adoption Order in the Adoption Register; the Registrar Births and Deaths is hereby directed to issue a Certificate of Birth in the name **K S G**.

10. The Guardian ad Litem is hereby discharged and is hereby appointed as Legal Guardian until baby **KSG** attains the age of majority of eighteen (18) years.

Orders Accordingly.

**Dated, Signed and Delivered at Nyeri this 9th day of March, 2017.**

**HON.A.MSHILA**

**JUDGE**