



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT MURANG'A**  
**ADOPTION CAUSE NO 2 OF 2015**  
**IN THE MATTER OF THE CHILDRENS ACT**  
**AND**  
**IN THE MATTER OF *BABY L M***  
**BY**  
**P W J.....APPLICANT**

**R U L I N G**

1. This ruling concerns the **originating summons dated 22/01/2015** that seeks an adoption order in respect to the Child called **BABY L M**. Some ancillary orders are also sought.
2. The Applicant, **P W J**, is a single lady now aged about 50 years. She is a school teacher by profession and earning a good salary. She does not have any biological children of her own, and this is her first application for adoption.
3. I have read the Applicant's statement in support of the application and the verifying affidavit. I have also seen the affidavit of **L W T**, the Child's **guardian ad litem**, and of one **A M N**, both verifying to the Applicant's suitability to adopt the Child.
4. Finally, I have read three reports: one **dated 28/09/2016** by the **guardian ad litem**, the second one **dated 17/07/2014** by the **Child Welfare Society of Kenya** (the adoption society) and the third one **dated 16/05/2016** by the **Director of Children's Services**. All three reports are favourable to the adoption order sought.
5. The Child now aged about 4 years, was found abandoned behind the Maternal and Child Health Block at **Nanyuki General Hospital** on 20/03/2012. The matter was duly reported to **Nanyuki Police Station** and also to **Nanyuki District Children's Office**. The Child was then committed to **CWSK Nanyuki Children's Home** for care and protection vide **Nanyuki CM Protection & Care Case No 50 of 2012**. This was on 27/09/2012.
6. Subsequent investigations by the police and the **Child Welfare Society of Kenya** to trace the Child's mother or other relatives were fruitless. Nobody has ever laid claim to the Child.
7. The Child was placed into the care and custody of the Applicant on 27/02/2013. They have been together now for about 4 years.

**8.** The adoption society released the Child for adoption vide *Certificate of Declaring a Child Free for Adoption* dated 17/07/2014.

**9.** I am satisfied, upon all the material now before the court, that the Applicant is a fit and proper person to adopt the Child. She has the heart and the means to properly bring up the Child in an appropriate, homely and safe environment. There are no legal impediments to the adoption order sought.

**10.** Finally, I am satisfied that it is in the Child's best interest to permit her to be adopted by the Applicant. The Child, who appears to have been abandoned by her biological mother, will now have a loving mother whom, because of the Child's tender age, she will always know as her real mother. She will have a bright future with the Applicant.

**11.** In the circumstances, I will grant the Adoption Order sought in respect of **BABY L M**. The Child is hereby declared a Kenyan citizen and shall henceforth be called and known as **A W W**. The *Registrar-General* is hereby directed to make the appropriate entry into the *Adopted Children's Register*. It is so ordered.

**DATED AND SIGNED AT MURANG'A THIS 2<sup>ND</sup> DAY OF MARCH 2017**

**H P G WAWERU**

**JUDGE**

**DELIVERED AT MURANG'A THIS 3<sup>RD</sup> DAY OF MARCH 2017**