



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NYERI**  
**ADOPTION CAUSE NO. 9 OF 2012**

**IN THE MATTER OF BABY DT ALIAS DMK.....INFANT**

**AND**

**G K M**

**L W K..... APPLICANTS**

**RULING**

1. The application is brought by way of an Originating Summons and is dated the 12th day of August 2014. The applicants seek the following Orders;
  - a. That **J M M** be appointed as guardian ad litem herein;
  - b. That the applicants **G K M & L W K** be authorized to adopt baby **DMK**.
  - c. That the Honourable Court dispense with the mothers' consent who abandoned the child.
2. The baby **DMK** at the age of two (2) years was found abandoned on the 21st June 2010 at the Nyambane District Hospital and the case was reported at Maua Police Station and an entry was noted in the Occurrence Book as **O.B NO.94/21/06/10**
3. On the **24th August, 2010** the Childrens' Court at Maua the baby **DMK** was committed to the institution under Care and Protection Order Number **17/2010** and he was declared free for adoption under Section 156 of the Children's act and a freeing Certificate Serial Number [**particulars withheld**] was issued by the Little Angels Network.
4. The Guardian Ad Litem **J M M** was appointed on the **2nd November, 2015** and the County Director of Children's Services after visiting and interrogating the applicants filed a favourable report in court on the **16th May, 2013** on the applicants suitability to adopt baby **DMK**.
5. After reading and taking into consideration the contents of this report and satisfying myself that all the legal requirements had been adhered to that is; the applicants were married under Kikuyu Customary Law and thereafter the marriage was solemnised in Church on the **31/12/2005** and Certificate No. [**particulars withheld**] issued; their ages being **51** and **43** years respectively and are therefore their ages are within the prescribed parameters; that their Certificates of Good Conduct are current and valid and that their bank statements establishes their financial standing and suitability.
6. Also upon observing the applicants with the child at the hearing hereof I noted that there is an emotional bonding; the child appears to be healthy and well taken care of.

7. For the reasons stated above this court is satisfied and finds that the applicants are suitable persons to adopt Baby **DMK**; and that they have the resources to provide and care for him.

**DETERMINATION**

8. The application for the adoption of baby **DMK** is hereby allowed; the applicants are hereby allowed to adopt baby **DMK**; he shall be known as **DMK**.

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 **DMK**.

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

Orders Accordingly.

**Dated, Signed and Delivered at Nyeri this 7th day of April, 2016.**

**A.MSHILA**

**JUDGE**