



**REPUBLIC OF KENYA**

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

**ADOPTION CAUSE NO. 4 OF 2013**

**IN THE MATTER OF BABY S.P.M.....INFANT**

**AND**

**P.M.M..... APPLICANT**

**A.N.M..... APPLICANT**

**RULING**

1. The application is brought by way of an Amended Originating Summons and is dated the 20<sup>th</sup> day of January 2015. The applicants seek the following Orders;
  - a. That **B.M.K** be appointed as guardian ad litem herein;
  - b. That the applicants **P.M.M** and **A.N.M** be authorized to adopt baby **S.P.M.**;
  - c. That the Honourable Court dispense with the mothers' consent who abandoned the child.
2. The baby S.P.M at age four (4) months was found abandoned on the 28<sup>th</sup> December, 2007 at [particulars withheld] Village Karatina and was rescued by a Good Samaritan and taken to Karatina Police Station and an entry number OB.[particulars withheld] was made in the Occurrence Book.
3. On the 30<sup>th</sup> April, 2008 the Childrens' Court at Nyeri the baby **S.P.M** was committed to the institution under Care and Protection Order Number [particulars withheld]/2008 and he was declared free for adoption under Section 156 (I) 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 **B.M.K** was appointed on the 10/03/14 and the County Director of Childrens Services after visiting and interrogating the applicants filed a favourable report in court on the 9/11/15 on the applicants suitability to adopt baby **S.P.M.**
5. After reading and taking into consideration the contents of this report and satisfying myself that all the legal requirements had been adhered to in the form of; the applicants were married on 16/12/2000 and marriage Certificate No. [particulars withheld] issued; the applicants are aged 43 and 32 years respectively and therefore their ages are within the prescribed parameters; and their Bank Statements establishes their financial standing and suitability.
6. For the reasons stated above this court is satisfied and finds that the applicants are suitable persons to adopt baby **S.P.M.**; and that they are financially stable and have the resources to provide and care for him.

**DETERMINATION**

7. The application for the adoption of baby **S.P.M** is hereby allowed; the applicants are hereby allowed to adopt baby **S.P.M**; he shall be known as **S.P.M**.
8. 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 **S.P.M**.
9. The Guardian ad Litem is hereby discharged and is hereby appointed as Legal Guardian until baby **S.P.M** attains the age of eighteen (18) years..

Orders Accordingly.

**Dated, Signed and Delivered at Nyeri this 5<sup>th</sup> day of April, 2016.**

**A.MSHILA**

**JUDGE**