



REPUBLIC OF KENYA



KENYA LAW
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**In re ST alias TN (Baby) (Adoption Cause E005 of 2025)
[2025] KEHC 16835 (KLR) (14 November 2025) (Judgment)**

Neutral citation: [2025] KEHC 16835 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
ADOPTION CAUSE E005 OF 2025**

A MSHILA, J

NOVEMBER 14, 2025

IN THE MATTER OF

PNN 1ST APPLICANT

LMM 2ND APPLICANT

JUDGMENT

1. The application is brought by way of an Chamber Summons and is dated the 6th March, 2025 and is premised under the provisions of Sections 154, 156, 157, 158, 159, 160, 163, 164, and 170 of the Children’s Act 2022; and all other enabling provisions; The Applicants seek the following Orders;
 - a. That the Applicants be authorized to adopt BABY S.T. alias T.N.; the said child will be known as T.N.;
 - b. That the consent of the biological parents of BABY S.T. alias T.N. be dispensed with as the child was abandoned shortly after birth and their whereabouts being unknown and the child having been declared free for adoption.
 - c. That the Court be pleased to appoint M.G.N. and J.W.N. as the Legal Guardians of BABY S.T. alias T.N. upon granting of the adoption order.
 - d. That the Registrar General do make the appropriate entry of S.T. alias T.N. in the Adopted Children’s Register.
 - e. That the child S.T. alias T.N. be presumed to be a Kenyan citizen born in Kenya and be issued with a Kenyan Passport;
 - f. That M.W.M. be appointed as legal guardian of BABY S.T.
2. The application was supported by a joint Affidavit made by the Applicants;



3. The Guardian Ad Litem M.W.M. was appointed on the 17th June, 2025; This Court directed the Director of Children's Services and the Guardian Ad Litem to carry out a home visit to do investigations and to file their Reports.
4. After visiting and interrogating the Applicant the Kiambu Sub-County Children's Office and the Guardian Ad Litem filed their respective Reports on the Applicant's suitability to adopt BABY S.T. the reports were duly filed in court and are dated 30/09/2025 and 25/09/2025; both reports are highly favourable to the Applicants and recommend their suitability as adoptive parents.
5. The child Baby S.T. who is male is presumed to have been born on or about the 1st January, 2023; He was found abandoned near Kisaju Prayer Centre by a good Samaritan and the case was reported vide OB No. 7/11/2/2020 at Kisaju Police Post within Kajiado County; he was placed at Mahali pa Maisha Infant Rescue Centre for temporary care and protection whilst awaiting committal; under the Protection and Care Case No. E046 of 2023 the Children's Court sitting at Kajiado BABY S.T. was formally committed vide Order issued on 23/08/2023 to the same institution Mahali pa Maisha Infant Rescue Centre for protection and care; The child was placed with the Applicants on 30/03/2024 on a foster care arrangement; On the 24th April, 2024 he was declared free for adoption and a Certificate Serial Number 00702 was issued by Change Trust.
6. After reading and taking into consideration the contents of these Reports this Court was satisfied that all the legal requirements had been adhered to notably; the Applicants are Kenyan citizens and their union was solemnized on 10/04/2010 at St. Pauls Catholic Chapel/Parish Nairobi and Certificate No.XXX was issued verifying the marriage; at the time of filing this application the prospective adoptive parent P.N.N. was aged 43 years and L.M.M. was aged 44 years therefore their age brackets fall within the prescribed legal parameters; Both prospective parents are employed by the [Particulars Withheld] and have produced into Court copies of their Pay Slips and Bank Statements to prove their financial capability to support Baby S.T. when they assume responsibility of his upbringing.
7. Their Certificates of Good Conduct are current and valid and this Court is satisfied that there are no adverse circumstances discernible from the Applicants' families or any individual characteristics or lifestyle that would be detrimental to the baby;
8. It is noted that this is was a case of abandonment and therefore this Court will dispense with the requirement that written consent be given by the biological parent(s); This Court takes note that the consents of the proposed Legal Guardians M.G.N. and J.W.N. have also been duly filed.
9. For the reasons stated above this court is satisfied that the Applicants have fulfilled all the pre-requisites for adoption orders and are found to be suitable persons to adopt BABY S.T. and the court is further satisfied that the order for adoption will be in the best interest of the child as set out in Section 8 of the Children's Act 2022; Baby S.T. appeared in court with the prospective parents and this Court had the opportunity to observe him and took note of his happy demeanor;

Findings & Determination

10. For the forgoing reasons this court finds that the application for adoption has merit and it is hereby allowed;
 - i. The Applicants P.N.N. and L.M.M. be and are hereby authorized to adopt BABY S.T. he shall be known as T.N.



- ii. The Registrar General be and is hereby directed to enter this adoption order of TN in the Adopted Children's Register; the Registrar General be and is hereby directed to issue a Certificate of Birth in the name T.N.
- iii. The Guardian Ad Litem M.W.M. is hereby discharged and M.G.N. and J.W.N. be and are hereby appointed to stand in as next of kin and legal guardian to T.N. until the minor attains the age of majority of eighteen (18) years.

Orders Accordingly.

DATED, SIGNED AND DELIVERED VIA TEAMS AT KIAMBU THIS 14TH DAY OF NOVEMBER, 2025.

HON. A. MSHILA

JUDGE

In the presence of;

Sanja – Court Assistant

Applicants – present in person

