



**In re Adoption of NM aka MM (Child) (Adoption Cause E001 of 2025)  
[2025] KEHC 19108 (KLR) (19 December 2025) (Judgment)**

Neutral citation: [2025] KEHC 19108 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT VOI  
ADOPTION CAUSE E001 OF 2025  
AN ONGERI, J  
DECEMBER 19, 2025  
IN THE MATTER OF: THE CHILDREN ACT, 2022  
AND  
IN THE MATTER OF: AN APPLICATION FOR ORDERS OF  
ADOPTION OF NM AKA MM(CHILD) BY MM AND VMM**

**BETWEEN**

**MM & VMM ..... APPLICANT**

**AND**

**CHILD WELFARE SOCIETY OF KENYA ..... RESPONDENT**

**JUDGMENT**

1. The two Applicants M.M and V.M.M filed this Originating Summons (OS) filed in court on 29<sup>th</sup> May 2025 seeking the following orders:-
  - i. That the applicants be authorized to adopt the child BABY N.M.
  - ii. That upon the making of the adoption orders the said child be known as M.M.M.
  - iii. That the Registrar General do make the appropriate entry of M.M.M in the Adopted Children's Register.
  - iv. That the child M.M.M be presumed to be a Kenyan citizen born in Kenya and that the Director of Immigration Services do issue M.M.M with a Kenyan passport.
  - v. That R.M.M be appointed Legal Guardian of the child M.M.M.
2. The two Applicants are adult Kenyans who are married under customary law.
3. The Applicants are farmers who earn a moderate income of Kshs. 30,000/= per month.



4. They have a permanent house and they own land at Werugha where they live.
5. The subject was found abandoned at a church in Mombasa by a good Samaritan. The subject was taken to Coast General Hospital and the matter was reported to Changamwe Police Station.
6. The subject was placed at Mji wa Salama Mombasa and later committed to the same institution on 13<sup>th</sup> January 2025 by Tononoka Children's Court.
7. The police did investigations and published the details in print media but did not trace the biological parents of the subject. They wrote a letter to that effect.
8. The child was declared free for adoption on 7<sup>th</sup> June 2016.
9. He was placed with the Applicants on 9<sup>th</sup> June 2016.
10. I have seen reports by the following:-
  - i. The Guardian Ad Litem.
  - ii. The Children's Officer.
  - iii. The Children Welfare Society.
11. All these reports recommend the Applicants to adopt the subject.
12. I find that it is in the best interest of the minor that this OS be allowed.
13. I find that the Applicants meet the threshold for adoption of the subject.
14. I allow the OS in the following terms:-
  - i. That the Applicants M.M and V.M.M be and are hereby authorized to adopt baby N.M.
  - ii. That the name of the subject shall be M.M.M.
  - iii. That the Registrar General do enter the name of the subject in the Adopted Children Register and do issue the subject with a Kenyan Passport and birth certificate.
  - iv. That the date of birth of the subject be 18<sup>th</sup> May 2014.
  - v. That the Guardian Ad Litem be and is hereby discharged.
  - vi. That Renson Mwasi Mwagogo be and is hereby appointed Legal Guardian of the subject in case of the incapacity by the Applicants before the subject attains the age of the majority.

**DATED, SIGNED AND DELIVERED THIS 19<sup>TH</sup> DAY OF DECEMBER, 2025 VIRTUALLY VIA MT TEAMS AT VOI HIGH COURT.**

**ASENATH ONGERI**

**JUDGE**

In the presence of:-

Court Assistant: Millicent/Mabishi

.....for Applicants

.....for Respondent

