



SJT & another v Registrar of Births and Deaths & another (Family Miscellaneous Application E046 of 2025) [2026] KEHC 387 (KLR) (21 January 2026) (Ruling)

Neutral citation: [2026] KEHC 387 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MOMBASA
FAMILY MISCELLANEOUS APPLICATION E046 OF 2025**

**G MUTAI, J
JANUARY 21, 2026**

BETWEEN

SJT 1ST APPLICANT

CNK 2ND APPLICANT

AND

REGISTRAR OF BIRTHS AND DEATHS 1ST RESPONDENT

DIRECTOR OF CIVIL REGISTRATION 2ND RESPONDENT

RULING

1. Before me is the originating summons dated 23rd September 2025, vide which the applicants, SJT and CNK, pray that the name of the father of MW, a child, as indicated in her birth certificate Entry No XXX, be changed from GM to SJT.
2. I have considered the said originating summons, the affidavit of the 1st applicant, as well as the evidence produced in court. This court ordered that the child and the alleged father undergo a DNA test to establish paternity.
3. I have received the results of the DNA test, contained in the report dated 20th January 2026, prepared by the government analyst. The report shows that MW's father is SJT.
4. That being the case, I find and hold that the originating summons dated 23rd September 2025 has merit. The same is allowed as prayed. Consequently, I order and direct that the 1st and 2nd Interested Parties remove and strike out the name of GM from the birth certificate of MW, and replace it with the name of SJT. I further order and direct that the child be issued another birth certificate bearing the correct name of the biological father, that is to say, SJT.
5. As this is a non-contentious matter, I make no orders as to costs.



6. Court file to be closed forthwith.

7. Orders accordingly.

DATED AND SIGNED IN MOMBASA, THIS 21ST DAY OF JANUARY 2026. DELIVERED VIRTUALLY THROUGH MICROSOFT TEAMS.

GREGORY MUTAI

JUDGE

In the presence of: -

Mr Okanga for the Applicants; and

Ms Bancy - Court Assistant.

