



REPUBLIC OF KENYA

IN THE COURT OF KENYA AT NYERI

ADOPTION CAUSE NO.15A OF 2018

IN THE MATTER OF PDN alias HG

IN THE MATTER OF ADOPTION ORDER BY JMG MNM

AND

IN THE MATTER OF SECTION 158,159 AND 160 of THE CHILDREN ACT

RULING

The applicants, **JMG** and **MNM** who are man and wife respectively, have filed an application dated 6th December 2018 seeking for orders that:

1. **FIN** and **PMI** be appointed as guardians ad litem herein.
2. The applicants **JMG** and **MNM** be authorized to adopt **Baby PDN** alias **HG** .
3. The Court do dispense with the mother's consent.
4. There be an order directing the Registrar-General to make such an entry into the Adopted Children Register.
5. Any other order necessary for the effective adoption of **Baby PDN** alias **HG**.

The application is brought under the provisions of sections 158,159 and 160 of the Children Act. It is supported by a statement of the applicants dated the 6th December 2018.

The background to the application is that the subject herein is aged 7 years. She was born to a mother who was of unsound mind who wanted to drown her into a river after birth. The child was placed in a children home. On the 17/3/2017 the child was declared to be free for adoption by Ripples International Adoption Society. On the 13/10/2017 she was placed under the care of the applicants who have lived with her since then.

The following documents were filed in support of the application:

1. Statement of the applicants.
2. Report from Ripples International Adoption Society declaring the child free for adoption.
3. Certificate of declaring the child free for adoption.
4. Report of County Co-ordinator for Children Services, Nyeri.
5. Consent of **FIN** and **PMI** to act as guardians ad litem.

According to the reports and statements filed in court, the 1st applicant is a Clinical Officer by training and runs a Christian Ministry. The 2nd applicant is also a Clinical Officer by profession and is in salaried employment. The couple have grown up children.

The report from the Children Officer indicates that the applicants are financially stable. That they have lived and bonded with the subject since the year 2017. The report recommends that an adoption order be made in favour of the applicants and that the subject's name to

change to **PDNM**.

I have considered the application. I am satisfied that adoption in this matter would be in the best interests of the child herein. I am further satisfied that the applicants are suitable persons to adopt the subject. I thereby make the following orders:

- (1) The court does hereby make an adoption order for **JMG** and **MNM** to adopt **PDN alias HG**.
- (2) The court does hereby make an order to dispense with the consent of the mother of the subject child herein.
- (3) That **FIN** and **PMI** are hereby appointed guardians ad litem for the child herein.
- (4) That upon the said adoption, **PDN** alias **HG** shall be named **PDNM**.
- (5) That the Registrar –General to make an entry in the Adoption Register in the prescribed form.

Orders accordingly.

DELIVERED, DATED AND SIGNED AT NYERI THIS 26TH DAY OF JANUARY, 2022.

J. N. NJAGI

JUDGE

IN THE PRESENCE OF:

MISS MURIITHI HOLDING BRIEF FOR MR. NDERI FOR APPLICANTS

COURT ASSISTANT: MR. KINYUA