



**In re Baby TNN (Adoption Cause E253 of 2024)  
[2025] KEHC 3165 (KLR) (Family) (27 February 2025) (Judgment)**

Neutral citation: [2025] KEHC 3165 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

**FAMILY**

**ADOPTION CAUSE E253 OF 2024**

**SN RIECHI, J**

**FEBRUARY 27, 2025**

**IN THE MATTER OF AN APPLICATION FOR THE ADOPTION OF BABY**

**TERRY NYOKABI NJERI**

**BY**

**IN THE MATTER OF**

**JWM ..... 1<sup>ST</sup> APPLICANT**

**TNN ..... 2<sup>ND</sup> APPLICANT**

**JUDGMENT**

1. The Applicants, JWM and TNN are in a monogamous marriage which was solemnized on 30<sup>th</sup> August 2014 at St. Raphael’s Catholic Church within Nairobi County as evidenced by a copy of their marriage certificate serial number 15XXXX attached to the application.
2. JWM , male applicant is a Kenyan Citizen aged 49 years old born on 11<sup>th</sup> May 1975 as evidenced by a copy of his National Identification Card number 13XXXX attached to the summons. The female applicant TNN is a Kenyan Citizen aged 46 years old born on 5<sup>th</sup> March 1978 as evidenced by a copy of her national identification card number 21XXXX attached to the application.
3. The male applicant is a businessman and Consultant working at Wycliffe Associates. The female applicant is an Administrator employed by University of Nairobi, UON Upper Kabete Campus. The applicants reside at UON-Upper Kabete Campus Jericho Estate. The applicants profess Christian Faith.
4. The applicants have been blessed with three biological children namely NNW – 18 years old born on 5<sup>th</sup> April 2006, RMW 16 years old born on 7<sup>th</sup> February 2008 and NWW born on 15<sup>th</sup> September 2013



as evidenced by copies of their birth certificates attached to the application. The applicants now wish to adopt TN who is 16 years old through an originating summons dated 20<sup>th</sup> November 2024.

5. The evidence on record indicates that the child was born on 7<sup>th</sup> October 2008 at PCEA Kikuyu Hospital to her biological mother MN as evidenced by a copy of her birth certificate serial number 18XXXXX attached to the application.
6. The applicants stated that the child is a niece to the male applicant. The child's biological mother passed away on 20<sup>th</sup> August 2009 due to Pneumonia at Kenyatta Hospital. The child's mother passed away when the child was 10 months old and the father remains unknown and has never been in child's life. The child is currently in Form 2 at [particulars withheld] Girls High School. The applicants stated that by virtue of the child being an orphan they made application to Buckner Kenya on 30<sup>th</sup> August 2024 seeking to adopt the minor.
7. Prior to the hearing of the adoption application, Buckner Kenya Adoption Services prepared and filed a report dated 20<sup>th</sup> November 2024. They also issued a Certificate serial number XXX declaring the child free for adoption as evidenced by the copies of report and certificate declaring a child free for Adoption attached to the application.
8. The applicants stated that they have no previous criminal record and no pending criminal prosecution as evidenced by their respective police clearance certificates attached to the application.
9. The applicants are both physically and emotionally fit and healthy to parent, love and care for the child as evidenced by copies of their Medical reports attached to the application. The applicants are financially stable and they are therefore able to provide fully for the child's need as evidenced by copies of their financial documents attached to the application.
10. The guardian ad litem Ms. Dorine Akinyi Owiti filed a report dated 15<sup>th</sup> January 2025 which was favourable and recommended the adoption of the child by the Applicants.
11. Mr. Ezekiel Kimani, Assistant Director Children Services Children conducted home visits and established that the applicants are financially and emotionally capable of providing for the upkeep and education of the child and filed a report dated 6<sup>th</sup> January 2025 recommending the adoption for reasons that the child stands to gain from the opportunities provided by becoming the daughter of the applicants and the applicants have fulfilled the statutory requirements.
12. Mr. SGW and Ms. CWMM consented to be appointed as legal guardians of the child and they filed their letters of consent attached to the application. The consent of the biological father was dispensed with since his whereabouts is unknown.
13. This is a kinship adoption and from the record the Applicants have fulfilled all the legal requirements relating to the adoption of the child. The child was in court during the virtual hearing and appeared to have bonded well with the Applicants.
14. I have examined the evidence herein and best interest of the child as required in Article 53 (2) of the Constitution and Section 8 the Children's Act, 2022. I find that it is in the best interest of the child to be adopted by the Applicants. I therefore allow the prayers sought in the originating Summons dated 20<sup>th</sup> November 2024 and Order as follows:
  - i. The Applicants JWM and MWM is hereby allowed to adopt TN who shall henceforth be known as TNNW.
  - ii. SGW and CWM are hereby appointed as the legal guardians of the child.



iii. The Registrar General is directed to enter this Order in the Adopted Children Registry.

iv. The guardian ad litem is hereby discharged.

**DATED AT NAIROBI THIS 27TH DAY OF FEBRUARY 2025**

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**S. N. RIECHI**

**JUDGE**

