



**In re DG alias ETN (Child) (Adoption Cause E033 of 2024)
[2025] KEHC 5587 (KLR) (30 April 2025) (Judgment)**

Neutral citation: [2025] KEHC 5587 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MACHAKOS
ADOPTION CAUSE E033 OF 2024**

EN MAINA, J

APRIL 30, 2025

IN THE MATTER OF

ENM APPLICANT

JUDGMENT

1. The child in these proceedings is a boy now aged thirteen (13) years (estimated to be born on 25th March 2012). He was found abandoned at Mogoho shopping Centre and rescued by a good samaritan who took him to Mogoho Health Centre for a medical checkup. He was then referred to Nakuru Provincial General Hospital where he was admitted for further medical examination on 14th April, 2012. Thereafter on 26th June, 2012 the matter was reported to Nakuru Police Station and an OB No. 29/26/6/2012 was issued.
2. On 3rd July, 2012 the Nakuru District Children’s Office issued a letter to the Nakuru Provincial General Hospital Nakuru requesting the hospital to release the child to Holy Family Children’s Home for care and protection and the child was admitted to the Home on the same date.
3. On 5th December 2012, The Nakuru Police Station wrote to the Holy Family Children’s Home and stated that tracing the child’s kin had proved futile.
4. Subsequently, the Chief Magistrate Children Court in Nakuru committed the child to the Holy Family Children’s Home for a period of three (3) years vide Care and Protection Case No. 164 of 2016. The order was extended for a further three (3) years on 6th September, 2022. The child was never claimed.
5. In a meeting held on 31st January, 2023 the case Committee of the Little Angels Network declared the child free for adoption and issued a certificate No.00XX19 to that effect.
6. The Applicant herein ENM and her late husband, PMN had approached the Little Angels Network Adoption Society on 26th March 2021 with an intention to adopt a male child aged between 3 years to 5 years. On 12th February, 2023 the child was placed in the care of the Applicant and her husband



- and they had been fostering the child since then. However, the Applicant's husband PMN suddenly passed away on 5th October, 2023 before these adoption proceedings commenced.
7. Following a follow-up visit by the Adoption Society Program Officer the Applicant stated that she was desirous to continue with the adoption process.
 8. The Applicant and her late husband were blessed with two adult daughters namely MM and CM. The Applicant is financially stable with an income from dairy farming. She resides in her own home hence has minimal expenses.
 9. The following reports have been duly filed in regard to the adoption.-
 - a. Report of the Guardian Ad Litem.
 - b. Reports from the Little Angels Network Adoption Society declaring the child free for adoption and also recommending the adoption.
 - c. Report of the Directorate of Children's Services – Sub County Children Services – Kathiani also recommending the adoption.
 - d. Consent of OM & MNM to act as the Legal Guardians.
 10. All the reports recommend this adoption which is a family based and local adoption. The child has been under the continuous care of the Applicant since 12th February, 2023 and they have bonded well and Guardian ad litem highly recommends her as an adoptive parent.
 11. Having carefully considered all the material before me, I am satisfied that the adoption meets the conditions of part XIV of the *Children Act* and is in the best interest of the child. The Applicant fully understands the implications of an order of adoption and has already assumed her responsibilities. She has met all the conditions of an adopter set out in the Act.
 12. Accordingly, the application is allowed and orders are granted as follows: -
 1. That the Applicant be and is hereby allowed to adopt the child and an adoption order shall issue.
 2. That the child shall now be known as DMM.
 3. The child's date of birth shall be 25th March, 2012.
 4. That OM and MNM are hereby appointed as the Legal Guardians of the child.
 5. That the Guardian Ad Litem is hereby discharged
 6. That this adoption order shall be lodged with the Registrar General and the Registrar General is hereby directed to enter the adoption in the Adopted Children Register.

It is so ordered.

JUDGMENT DATED, SIGNED AND DELIVERED VIRTUALLY ON THIS 30th DAY OF APRIL, 2025.

E. N. MAINA

JUDGE

In the presence of:

ENM – Applicant



Miriam – Court Assistant

No appearance by Counsel for the Applicant

