



REPUBLIC OF KENYA



KENYA LAW
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**In re WA (Child) (Adoption Cause E020 of 2023)
[2025] KEHC 9041 (KLR) (26 June 2025) (Judgment)**

Neutral citation: [2025] KEHC 9041 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MACHAKOS
ADOPTION CAUSE E020 OF 2023
EN MAINA, J
JUNE 26, 2025
IN THE MATTER OF THE CHILDREN ACT, 2022
AND
IN THE MATTER OF BABY WA (CHILD)
AND
IN THE MATTER OF APPLICATION FOR ADOPTION BY:

IN THE MATTER OF
JNL APPLICANT**

JUDGMENT

1. The child in these proceedings is a girl now aged six and a half (6½) years (estimated to be born on 17th September 2018). She was found abandoned on 21st September 2018 at Kawangware Elshadai and rescued by a good samaritan who took her to a voluntary children Officer namely Mary Wamaitha of Mobile Phone No. 072XXXX320. The said good samaritan later reported the matter to Muthangari police station and an *OB* No. 41/21/09/2018 was issued.
2. On 24th September 2018 the child was admitted at Angel Center for abandoned children for care and protection.
3. On 15th July 2022, the Muthangari Police Station wrote the Angel Centre – Waithaka and stated that tracing the child’s kin had proved futile.
4. Subsequently, the Senior Magistrate Children Court at Nairobi committed the child to the Angel Center for Abandoned children for a period of three (3) years vide Care and Protection Case No. E340 of 2022. The order was extended for a further three (3) years on 15th July 2022. The child was never claimed.



5. In a meeting held on 22nd July 2022 the case Committee of the Little Angels Network declared the child free for adoption and issued a certificate No.00--80 to that effect.
6. The Applicant herein JNL (Single Applicant) had approached the Little Angels Network Adoption Society on 2nd May 2019 with an intention to adopt a female child aged 4 years and below. On 8th August 2022 the child was placed in the care of the Applicant and she had been fostering the child since then.
7. The Applicant is currently a business lady with a monthly income from her business and rentals therefore financially stable. She resides in her family home. She does not have any biological child of her own but is fostering another child aged 10 years whose adoption process is ongoing.
8. 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–Machakos also recommending the adoption.
 - d. Consent of LWM and DML to act as the Legal Guardians.
9. 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 8th August 2022 and they have bonded well and Guardian ad litem highly recommends her as an adoptive parent.
10. 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.
11. 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 Angel Mwendu Nthambi.
 3. The child's date of birth shall be 17th September 2018.
 4. That DML and LWM 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 26TH DAY OF JUNE, 2025.

E. N. MAINA

JUDGE



In the presence of:

Mr. Kamenju for Applicant

Applicant not present

Geoffrey - Court Assistant

