

IN THE HIGH COURT OF TANZANIA

AT IRINGA

MISCELLANEOUS CIVIL CAUSE NO. 4 OF 2013

IN THE MATTER OF AN APPLICATION FOR
AN ADOPTION ORDER BY ELENİ PAPADOPOULOU

AND

IN THE MATTER OF ELPIDHA NURU TATIZO DEGELA

26/5/2014 - 28/05/2014

R U L I N G

MADAM SHANGALI, J.

The petitioner ELENİ PAPADOPOULOU is a national of the Republic of Greece who has been legally residing at Lugalo area in Iringa, Tanzania since 2009 working as Volunteer Officer with one of the Non-Government Organization known as Legal Aid and Social Association (LASWA) based in Iringa.

Being represented by Mr. Mbando, learned counsel, the petitioner has filed this petition seeking for the adoption of an infant girl namely ELPIDHA NURU TATIZO DEGELA aged five years old, citizen of Tanzania.

The petition has been filed under the provisions of the Child Act No. 21 of 2009 and The Adoption of Children Regulations 201, GN No. 197 of 2011 and duly supported by the investigation report from Mr. Ismail Mambo, the Social Welfare Officer who was appointed as a Guardian ad-litem.

According to the facts disclosed in the petition, the infant child ELPIDHA NURU TATIZO DEGELA was born on 15th November, 2009 as a child of MR. TATIZO MAILOS DEGELA and his wife NEEMA FWEDA. Unfortunately the mother of the child died after the birth of the child and its father remained a single parent. As a single parent with meager income he tried to take care of the child but eventually he decided to handle the child to the petitioner who was keen to adopt her. On 28th April, 2010 MR. TATIZO MAILOS DEGELA, the father of the infant gave his consent to Foster parenthood and the infant was officially placed under the custody of the petitioner.

It is further on record that since that period the petitioner has been living with the child as a family and Mr. Ismail Mambo, the Social Welfare Officer has been visiting them to check on the welfare of the infant. According to the Social Welfare Officer's report the petitioner has been taking care of the infant with love and affection while providing her with all necessary requirements and is capable and willing to provide all maintenance, education, medical treatment and

social security to the child. The adoptee has never been a subject to any claim or petition for adoption order and petitioner has not received or agreed to receive any payment or reward in considering of the adoption of the infant.

The petition has also been supported with a consent to foster parenthood (Exhibit P.1); Certificate cum declarations in support of the petitioners integrity, honesty and respect (Exhibit P.2); written recommendation letters from her country concerning her suitability to adopt the infant (Exhibit P.3); letter of consent from her family to proceed with the adoption process (Exhibit P.4) and written consent to the adoption obtained from the relative of the adoptee (Exhibit P.5).

The petitioner has also asked this court that in the event her petition is granted, the name of the adoptee infant should be ELPIDHA NURU ELENİ PAPADOPOULOU.

On the strength of the facts and evidence disclosed together with the very reliable investigation report filed by the Social Welfare Officer I am convinced and satisfied that this petition is tenable in law and all legal requirements has been complied with. I am satisfied that the adoption order applied by the petitioner will be in the interest and welfare of the adopted infant ELPIDHA NURU.

In conclusion therefore, this petition is hereby granted and the petitioner ELENi PAPADOPOULOU is hereby appointed and authorized to adopt the infant ELPIDHA NURU TATIZO DEGELA who shall henceforth be known as ELPIDHA NURU ELENi PAPADOPOULOU born on 15th November, 2009.

I further direct that, this adoption order be served upon the Registrar General of Birth and Death for his further and necessary action in compliance with the relevant laws.

Costs of the petition to be born by the petitioner.

M. S. SHANGALI

JUDGE

28.5.2014

Ruling delivered todate 28/5/2014 in the presence of Mr. Mhagama, learned advocate holding brief for Mr. Mbando for petitioner and Mr. Ismail Mambo, Social welfare Officer for the infant.

M. S. SHANGALI

JUDGE

28.5.2014