

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA**  
**(DAR-ES-SALAAM DISTRICT REGISTRY)**  
**AT DAR-ES-SALAAM**  
**MISCELLANEOUS CIVIL APPLICATION NO. 284 OF 2021**  
**IN THE MATTER OF THE LAW OF THE CHILD ACT, R.E. 2019**  
**AND**  
**IN THE MATTER OF "M" INFANT OF P.O. BOX 59, BAGAMOYO**  
**AND**  
**IN THE MATTER OF AN APPLICATION FOR AN ADOPTION ORDER BY HAPPY**  
**RICHARD MAMBA OF P.O. BOX 59, BAGAMOYO**

**RULING**

Date: 06 & 12/12/2022

**NKWABI, J.:**

This petition is brought under the provisions of section 54 (1)(a), 55(1) (a) and 59 (2) of the Law of the Child Act, Cap. 13 R.E. 2019 and Rule 11 of the Adoption of a Child Regulations, 2011 and section 95 of the Civil Procedure Code Cap. 33 R.E. 2019 of the Appellate Jurisdiction Act, Cap. 141 R.E. 2019.

The petitioner has the following prayers:

1. An order for adoption of the infant "**M**" by the petitioner may be made pursuant to the Law of the Child Act 2019 with all necessary directions
2. An order that the infant "**M**" be known by the name "**M. RICHARD MAMBA.**"

3. That the adoption order shall be served on the Registrar General of Births so that the same shall be recorded in the Registry of Adoption.
4. Costs of this petition may be provided for as above mentioned or otherwise as the Court may direct.
5. Such further order as the nature of the case may require.

When the petition was called up for hearing, the petitioner appeared in person, and was also represented by Mr. Steven Byabato, learned advocate. The Social Welfare Officer one Careen Mitta, the guardian ad litem, also appeared.

Ms. Mitta when invited by the Court, she read out the Social Investigation Report in Court. Then, it was followed by submissions by Mr. Byabato who built up on the prayers of the petitioner that are in the petition.

I have carefully considered this petition and its supporting affidavits and the extensive report filed and read over by the Social Welfare Officer. The Social Investigation Report reveals that the infant child has been under the custody of the petitioner since 30<sup>th</sup> September, 2021. The child had previously been in the care of Mafinga Lutheran Orphanage center in Iringa region. She was

abandoned by her mother. The report indicates categorically that the petitioner is suitable to be adoptive parent.

It is also clear that in the extensive report covering 25 pages, the Social Welfare Officer recommends that this Court grants an adoption order of the Child "M. I. to proposed adoptive parent Ms. **HAPPY RICHARD MAMBA**. Having all that in my mind, I am of the firm view that the petitioner is suitable to be adoptive parent of the infant child. That is in the best interest of the infant child.

Consequently, I find that the petition is merited and it is granted. In the circumstances of this petition, I make no orders as to costs.

It is so ordered.

**DATED** at **DAR-ES-SALAAM** this 12<sup>th</sup> day of December, 2022.

   
J. F. NKWABI  
**JUDGE**