

**IN THE HIGH COURT OF TANZANIA**

**AT DODOMA**

**MISC. CIVIL APPLICATION NO. 1 OF 2011**

**IN THE MATTER OF THE ADOPTION OF CHILDREN ACT**

**CAP 335 R.E. 2002**

**AND**

**IN THE MATTER OF JACKSON AND JACKLINE OF DODOMA**

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**EVA ALBINE MINDE ..... PETITIONER**

**versus**

**JACKSON AND JACKLINE ..... RESPONDENT**

**ORDER**

**HON. MADAM, SHANGALI, J.**

The petitioner **EVA ALBINE MINDE**, Tanzanian, Business woman, aged 50 years old, a widow and a resident of Dodoma is seeking for the adoption of **Jackson** and **Jackline**, twins of different sex, aged 5 years old and orphans of unknown parents under the custody and guardianship of both Mburahati Orphanage Centre of Dar-es-Salaam and the petitioner herself.

The petition has been filed under the provision of Adoption of Children Act, Cap 335, R.E. 2002 and the Law of Child Act, 2009.

The orphan infants **Jackson** a male and **Jackline** a female were born in Dar-es-Salaam on 15<sup>th</sup> October, 2005 and their physical parents (mother/father) or relatives are unknown because they were abandoned when they were born.

According to the facts disclosed by the petitioner in her petition and oral submission, the two infants who are now in her custody (Foster care) since 09/01/2009 have never been the subject of any adoption matter and that she is willing, if granted, to permanently adopt the two infants, attend their future prospects and provide them with necessary education, medical treatment and security. The petitioner further request that if the court decide to grant his application for adoption, then the adoptee infants be known as **CAMILIUS ALBINE MINDE** and **CAMILA ALBINE MINDE** respectively as their official names.

The petitioner has also stated clearly that she has not received or agreed to receive any payment or reward in consideration of the adoption of the said two infant twins.

In short the petitioner is desirous of adopting the said infant twins under the provisions of adoption of Children Act, Cap 335, R.E. 2002.

In accordance to the procedure this matter had been initially dealt with by the Social Welfare Department under the supervision of Ms. Amina Mussa Mfaki, Social Welfare Officer of Dodoma. As a Guardian-ad-litem she has appeared before this court in support of the application. She submitted her thorough report in terms of rule 13 of the Rules of the Court GN 321 of 1942 where she has supported and recommended the grant of the petition as prayed.

After a careful consideration of the above facts and information, I have no reason to entertain any doubt on the petitioner. I am satisfied that the adoption Order in favour of the petitioner will be in the best interest and proper welfare of the orphan infant twins the adoptee.

In conclusion, the petition for adoption of the above said orphan infant twins in the names of **CAMILIUS ALBINE MINDE** and **CAMILA ALBINE MINDE** (respectively) by the petitioner **EVA ALBINE MINDE** is hereby granted as prayed – Section 3 (2) of the Adoption of Children Act, Cap 335.

In terms of section 17 of the Adoption of Children Act, Cap 335 The Registrar General of Birth and Death is hereby directed to register this Adoption Order in the **ADOPTED CHILDREN REGISTER** in accordance to the form set out in the First Schedule to the said Act.

It is so ordered.

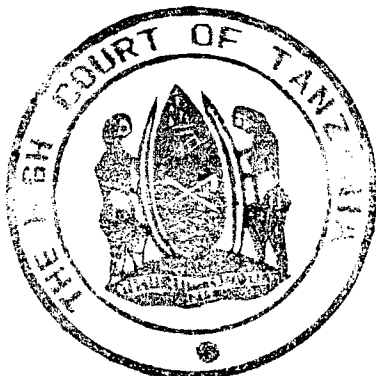


**M.S. SHANGALI**

**JUDGE**

**2/11/2012**

Delivered in the presence of the petitioner in person and Ms. Amina Musa Mfaki, Social Welfare Officer, Dodoma, this date 2<sup>nd</sup> November, 2012.



**M.S. SHANGALI**

**JUDGE**

**2/11/2012**