



REPUBLIC OF KENYA



In re Estate of Atinda Mbata (Deceased) (Miscellaneous Succession Cause 235 of 2024) [2024] KEHC 11882 (KLR) (30 September 2024) (Ruling)

Neutral citation: [2024] KEHC 11882 (KLR)

REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS SUCCESSION CAUSE 235 OF 2024
RE ABURILI, J
SEPTEMBER 30, 2024
IN THE MATTER OF THE ESTATE OF ATINDA MBATA (DECEASED)
AND
IN THE MATTER OF AN APPLICATION BY MONICA ATIENO
OMOLLO AND JOHN OKOTH OWUOR - PETITIONERS
(ARISING FROM KISUMU CHIEF MAGISTRATE'S
COURT SUCCESSION NO. E711 OF 2023)

RULING

1. The deceased Atinda Mbata hailed from Upper Tamu Sub-location, Muhoroni.
2. This is evidenced by the Assistant Chief's letter dated 16th November 2023 introducing the beneficiaries of the estate and he assets.
3. The Succession Cause was filed at Kisumu Law Courts instead of Tamu Law Courts.
4. The file from Kisumu Law Courts is here for rerouting to the court with geographic as well as pecuniary jurisdiction.
5. I hereby transfer Kisumu CMC Succession Cause No. E711 of 2023 to Tamu SPM's Court for hearing and determination.
6. The e-file to be transmitted forthwith and upon receipt of the e-file, the court to notify the Petitioners Monica Atieno Omolo and John Okoth Owuor to move that court.
7. This file is closed.
8. I so order.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 30TH DAY OF SEPTEMBER, 2024.

R. E. ABURILI



JUDGE

