



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
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**In re HFKM (Miscellaneous Cause E054 of 2022)
[2023] KEHC 1524 (KLR) (28 February 2023) (Judgment)**

Neutral citation: [2023] KEHC 1524 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
MISCELLANEOUS CAUSE E054 OF 2022
HK CHEMITEI, J
FEBRUARY 28, 2023**

JUDGMENT

1. The applicants who are sons to the subject herein HFKM filed this petition under the provisions of the [Mental Health Act](#) cap 248 Laws of Kenya seeking that they be allowed to manage the subject affairs.
2. The supporting affidavit of AEM shows that their father who is 78 years old is suffering from mental disorder alzheimer's dementia.
3. In support of the same he had attached a copy of a medical report by Dr Njau J W a consultant psychiatrist dated August 4, 2022.
4. The application is supported by his other siblings namely EANM and CNM. The only sibling who has not appended her signature is one Patricia Muhindi.
5. Taking into totality of the affidavit evidence as presented, it is evident that the petition is meritorious.
6. In the premises, the same is hereby allowed as hereunder:
 1. Anthony Eulogius Muhindi and Edward Alex Ngugi Muhindi are hereby appointed managers and guardians of the subject Hastings Frank Kariuki Muhindi
 2. The petitioners shall jointly manage and guard the subject in respect to
 - (a) Health Care
 - (b) Access and operate bank accounts
 - (c) Execute documents on behalf for the subject
 - (d) Settle liabilities, whether statutory or otherwise on behalf of the subject.
 3. They shall render periodical accounts to this court, which should be at least bi-annual or such a time that shall be directed by this court.
 4. They shall indemnify the subject at all times.



5. The matter be mentioned before the deputy registrar to confirm progress in the next 90 days from the date herein.

DATED, SIGNED AND DELIVERED AT NAKURU VIA VIDEO LINK ON THIS 28TH DAY OF FEBRUARY, 2023.

H K CHEMITEI

JUDGE

