



In re Estate of Stanley Mugambi Muketha (Deceased) (Succession Cause 361 of 2009) [2022] KEHC 14395 (KLR) (27 October 2022) (Ruling)

Neutral citation: [2022] KEHC 14395 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MERU
SUCCESSION CAUSE 361 OF 2009
TW CHERERE, J
OCTOBER 27, 2022**

IN THE MATTER OF ESTATE OF STANLEY MUGAMBI MUKETHA (DECEASED)

BETWEEN

EVANGELINE NKATHA MUGAMBI RESPONDENT

AND

MORRIS MUTEMBEI MUGAMBI ADMINISTRATOR

AND

FESTUS MURIUNGI KINOTI INTERESTED PARTY

**CUSTOMER SELF SERVICE AND GENERAL CONTRACTORS COMPANY
LIMITED INTERESTED PARTY**

RULING

1. I have considered the summons dated May 27, 2022 brought by the Interested Parties seeking to be joined to this suit as interested parties. The application is mainly based on the ground that LR Nkuene/ Uruku/1716 that the respondent proposes to distribute to one Kennedy Muriithi Muthomi does not exist the same having been subdivided and some parcels thereof sold to the Interested Parties.
2. I have considered whether the interested parties has the locus standi to bring this application. Locus standi signifies a right to be heard, a person must have sufficiency of interest to sustain his standing to sue in a court of law. The interested parties are not beneficiaries of deceased's estate and have no claim against deceased's estate. In *Kibera Blessed Academy v World Missionary Evangelism of Kenya Registered Trustees & 4 others* (2016) eKLR it was held that:

“If a party is found to have no locus standi, it means that he or she cannot be heard even on whether or not he has a case worth listening to.



3. From the foregoing, I find that the interested parties herein lack locus standi to institute and/or maintain the cause of action that they propose to prosecute.
4. Consequently, the summons dated May 27, 2022 seeking to have the interested parties joined to this suit is without merit and it is disallowed.

DELIVERED AT MERU THIS 27TH DAY OF October 2022

T. W. CHERERE

JUDGE

Appearances

Court Assistant - Kinoti

For Applicant - Mr.Kariuki for Mithega & Advocates

For Respondent - Mr. Muthuri for Muthuri & Co. Advocates

For Interested Parties - Mr. Muthomi for John Muthomi & Co. Advocates

