

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

FAMILY DIVISION

SUCCESSION CAUSE 1346 OF 2018

IN THE MATTER OF THE ESTATE OF ANNAH MUTHONI CHEGE

RULING

1. I have perused the two files placed before me namely CITATION CAUSE No. 461 of 2018 where the Citor Ejidiah Wanjiku Chege was seeking to cite the Citee ANNAH MUTHONI CHEGE.
2. I have also perused Succession 1346 of 2018 seeking a limited grant of Letters of Administration Pendente lite for purposes of enabling the petitioners to progress in Citation Cause No. 461 of 2018. The Application seeking the limited grant is dated 2.10.2018.
3. A perusal of Citation Cause No. 461 of 2018 shows that the Citor filed a Notice of withdrawal of Citation on 13.6.2018 and the file was marked as closed.
4. I have also noted that the citee in Citation Cause No. 461/2018 ANNAH MUTHONI CHEGE (deceased) passed away on 10/9/2018 and the death Certificate has not been obtained.
5. I find that the purpose of obtaining the Limited grant has been overtaken since Citation Cause No. 461/2018 has been withdrawn and the file concluded.
6. The Applicants also require the death certificate of the deceased in order to apply for the grant of letters of administration.
7. The Application dated 2.10.2018 is accordingly disallowed with no orders as to costs.

DELIVERED AND SIGNED IN OPEN COURT THIS 30TH DAY OF OCTOBER 2018

ASENATH ONGERI

JUDGE OF THE HIGH COURT OF KENYA, NAIROBI

IN THE PRESENCE OF:

Mrs. Muigai

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