

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NYERI

SUCCESSION CAUSE NUMBER 754 OF 2012

**IN THE MATTER OF THE ESTATE OF CHARLES NGUGI MWANIKI alias NGUGI
MWANIKI alias MWANIKI NJAUNI (DECEASED)**

LUCY WAIRIMU MWANIKIADMINISTRATOR/APPLICANT

VERSUS

TERESIA NYAMBURA MWANGI.....OBJECTOR/ BENEFICIARY

RULING

What is before me is the Summons for Confirmation of Grant dated 27th February 2017 supported by the affidavit of Lucy Wairimu Mwaniki.

It seeks the confirmation of the grant issued on the 8th of March 2013 according to the evidence of some deceased was survived his sister Lucy Wairimu Mwaniki and a sister in law Teresia Nyambura Mwangi.

He left a property Land Parcel No. Loc 11/Maragi/4691.

When the matter came for hearing on 22nd May 2017 the sister in law was absent. Mr. Kimunya holding brief for Mr. Gacheru for the objector/ respondent submitted that the objector had filed a consent to the confirmation and that the estate was being shared in equal shares.

I have perused the record. I note that the Teresia Mwangi Nyambura filed a consent on the 7th April 2017.

I am persuaded that despite her absence in court the objector /respondent has no objection to the mode of distribution proposed by the petitioner. Hence the grant of letters of administration intestate issued on the 8th March 2013 is confirmed and the estate will be shared equally between the beneficiaries.

There will be no orders as to costs.

Dated, Delivered and signed at Nyeri this 25th May 2017

TERESIA MATHEKA

JUDGE