

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MACHAKOS

SUCCESSION CAUSE NO. 1065 OF 2011

**IN THE MATTER OF THE ESTATE OF THE LATE MUYA KALLA alias MUYA KALA
MUTUA (DECEASED)**

NINAH MBITHE MUTISO PETITIONER/APPLICANT

VERSUS

JOSEPH MUSYOKA MUTEVU RESPONDENTS

RULING OF THE COURT

1. Before the court is **Summons for Rectification of Grant** dated 18th March 2016 seeking for the orders that the **Certificate of Confirmation of Grant** dated 26/01/2016 issued to the Petitioner/Applicant be rectified and that the costs for the application be provided for.
2. The application is supported by affidavit of **Ninah Mbithe Mutiso** sworn on 18th March 2016.
3. The Applicant seeks to rectify citation of title from **Machakos Town Block 3/973** to **Machakos Town Block 3/1973**. The difference arose out of typographical error. The said title was in the grant which was confirmed on 26th January 2016 and was given to **Peter Gikonyo Ndeto** who is to remain the beneficiary of the same even after rectification herein sought.
4. I have carefully considered the application. It is well supported and is merited. None of the beneficiaries have objected to it. Further, in order for the estate to be distributed and this matter closed, the application for rectification of the grant should be allowed as I hereby do.

Orders accordingly.

Dated and delivered at Machakos this 11th day of October 2016.

.....

E. OGOLA

JUDGE

In the presence of

Mr. Tamata holding brief for Mr. Ngolya

Court Assistant – Mr. Munyao