



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NAIROBI**  
**SUCCESSION CAUSE NO. 323 OF 2015**

**IN THE MATTER OF ESTATE OF ESTHER WAMBUI NGANGA – (DECEASED)**

**RULING**

1. I have read the letter dated 19/2/2014 from counsel for the petitioners.
2. There is still no explanation why grant of representation has not been sought with respect to the estate of the deceased.
3. As it is the persons in occupation of the property are intermeddlers regardless of whether they are family members so long as no representation has been sought nor granted. That is the singular effect of Section 45 of Law of Succession Act.
4. I shall allow the petition dated 19/2/2015 for grant of letters of administration *ad litem*.
5. I shall also direct that the petitioners do apply in this cause within (30) for a full grant of letters of administration intestate.
6. The matter shall be mentioned on 19<sup>th</sup> May 2015 to confirm compliance with paragraph (5) above.
7. The Deputy Registrar is hereby directed to cause the matter to be listed for mention on 19<sup>th</sup> May 2015.

**DATED, SIGNED and DELIVERED at NAIROBI this 17<sup>th</sup> DAY OF April 2015.**

**W. MUSYOKA**

**JUDGE**

**In the presence of Mr. Kionga advocate for the applicant.**