



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
CIVIL DIVISION
MISCELLANEOUS APPLICATION NO 405 OF 2012
IN THE MATTER OF THE MENTAL HEALTH ACT, CAP 245
AND
IN THE MATTER OF REYNOLDS MWANGI KINYANJUI
(WHO SUFFERS FROM MENTAL DISORDER OR INCAPACITY)
JOYCE WAKONYO MWANGI.....APPLICANT

R U L I N G

1. By an **order entered on 27/07/2012** herein (Odunga, J) the Applicant, **Joyce Wakonyo Mwangi**, and following application by notice of motion dated 20th July 2012, was appointed the **Guardian and Manager** of all the affairs and estate of **Reynolds Mwangi Kinyanjui** (hereafter called the **Subject**). The Applicant is the wife of the Subject, and the appointment was made with the consent of their seven (7) children (all adults). These children are -
 - i. **Elikanah Kinyanjui Mwangi**
 - ii. **Sarah Njambi Waiyaki**
 - iii. **Juanita Njoki Kinyanjui (alias Grace Kinyanjui Taylor)**
 - iv. **Timothy Mungai Kinyanjui**
 - v. **Ann Wairimu Kuria**
 - vi. **James Wanjama Kinyanjui**
 - vii. **Hellen Wambui Kinyanjui**
2. The Applicant has now applied by **notice of motion dated 8th April, 2014** seeking the main order that the court do authorize the Applicant

“to execute all instruments relating to the sale and/or disposition of all that piece of land situated within the City of Nairobi, being Land Reference No. 17/66 (Original Number 17/35/1)1 on behalf of the subject (Mwangi)”.

3. The main ground for the intended sale is stated to be that the

Applicant is required to urgently sell one (1) acre of land in order to obtain funds for the maintenance of the Subject, the Applicant (who is the Subject’s dependant) and the estate of the Subject.

4. The aforementioned children of the Applicant and the Subject have no objection to the intended sale. They have stated so by individual affidavits annexed to the application.
5. In the circumstances I will allow prayer 3 of the application. The Applicant, **Joyce Wakonyo Mwangi**, who is the court appointed **Guardian and Manager** of all the affairs and estate of the Subject, **Reynolds Mwangi Kinyanjui**, is hereby authorized to execute all instruments relating to the sale and/or disposition of all that parcel of land situated within the City of Nairobi known as **Land Reference No 17/66 (Original Number 17/35/1)1** on behalf of the said Reynolds Mwangi Kinyanjui. It is so ordered.
6. There will be no order as to costs of the application.

DATED AND SIGNED AT NAIROBI THIS 20th DAY OF MAY 2014

H.P.G. WAWERU

JUDGE

DELIVERED THIS 27TH DAY OF MAY 2014