

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MACHAKOS

SUCCESSION CAUSE NO 46 OF 2001

IN THE MATTER OF THE ESTATE OF **PATRICK MBUVI WAMBUA (DECEASED)**

PAULINE TINNI MBUVI.....1ST APPLICANT

WAMBUA MBUVI.....2ND APPLICANT

PETER MUSAU MBUVI.....3RD APPLICANT

COSMAS MUENI MBUVI.....3TH APPLICANT

VERSUS

REGINA MUENI MBUVIRESPONDENT

RULING

1. The application dated **25th April, 2013** is brought pursuant to the provisions of **Section 76(e)** of the **Law of Succession Act** and all enabling provisions of the **Civil Procedure Rules**, and the **Probate and Administration Rules**.
2. The applicant seeks orders that ;-
 - i. The grant of Letters of administration made to **Regina Mueni Mbuvi** on the **7th February, 2003** be revoked.
 - ii. The applicants be substituted as the administrators of the estate of the deceased in place of **Regina Mueni Mbuvi**.
3. The application is based on grounds that the administratrix of the estate of the deceased died on the **19th October, 2012** before completion of the administration process; the applicants are the children of the deceased hence the sole beneficiaries of the estate; and that it is necessary to substitute the deceased as administrators of the estate for them to complete the administration of the estate.
4. An affidavit in support of the application sworn by **Pauline Tinni Mbuvi** having been authorized by her co- applicants who basically reiterates what is stated in the body of the application.
5. The deceased, **Paul Ngei Katunga** died having been survived by the applicants herein and their mother **Regina Mueni Mbuvi** who is now deceased. A **Death Certificate No. 328022** issued on the **24th January, 2013** is confirmation of the fact that she died on the **19th October, 2012**. In the premises, persons who should administer the estate of the deceased are the applicants.
6. Consequently, I do allow the application for substitution as prayed.
7. It is so ordered.

DATED, SIGNED and DELIVERED at MACHAKOS this 19TH day of JUNE 2014.

L.N. MUTENDE

JUDGE