

REPUBLIC OF KENYA

High Court at Kakamega

Succession Cause 94 of 2012

IN THE MATTER OF THE ESTATE OF OKOME ORANGA OMAR ... DECEASED

JOYCE MACHENGO MAKOKHA CITOR

V E R S U S

ABDALLA MATASI OKOME CITEE

R U L I N G

The c itor, Joyce Machengo Makokha would like the next of kin of the late **OKOME ORANGA OMAR** take out letters of administration so that she can lodge her claim over the estate. Her claim is that her deceased husband bought part of plot number **E. WANGA/ELUCHE/172** from the deceased.

In response, Abdalla Matasi Okome contends that he is the deceased's son and the only surviving son. The family allowed him to petition the court for letters of administration but his efforts have been thwarted by the area senior assistant chief who has been insisting that the citor be included as a beneficiary.

That being the position, the court hereby orders that the citee does file his petition for grant of letters of administration intestate within 45 days hereof. The said petition shall be filed without the letter from Assistant Chief and the citor to be served with a copy of the petition. Each party to meet his/her own costs. It is so ordered. Upon filing the petition this file shall be deemed as closed.

Delivered, dated and signed at Kakamega this 7th day of February, 2013

**SAID J. CHITEMBWE
J U D G E**