



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT EMBU
SUCCESSION CAUSE NO. 123 OF 2011

IN THE MATTER OF THE ESTATE OF NGUU NJAMIRI (DECEASED)

JERUSHA RUNJI NGUU.....ADMINISTRATOR/APPLICANT

VERSUS

HARUN NYAGA NGUU.....RESPONDENT

RULING

This is the Applicant's application dated 5/4/2011. She prays for orders that:

- 1. *The court's Executive Officer signs all documents concerning distribution of the deceased's estate.***
- 2. *The O.C.S. Manyatta Police Station to provide security during the sub-division.***

It's supported by her Supporting Affidavit. She says the Respondent who is her son and a beneficiary to the estate has refused to sign the relevant papers.

The Respondent never filed any Replying affidavit to counter what the Applicant deponed in her affidavit.

The parties were in court on 17/11/2011 and the Applicant reiterated what she had stated in her affidavit. The Respondent said he had not refused to sign the papers but was waiting for the appropriate time.

This is a grant that was confirmed on 19/1/2000. The Applicant who is a very old lady had found it impossible to accomplish her duty of distribution of the estate because of the Respondent. The court will not allow that to continue happening.

- *I allow the application dated 5/4/2011 and order the Executive Officer of this court to sign the necessary papers for sub-division on behalf of the Respondent.***
- *The O.C.S. Manyatta Police Station to provide security to enable the parties/surveyor to carry out sub-division on land NO. NGANDORI/NGUVIO/1038.***

DATED, DELIVERED AND SIGNED AT EMBU THIS 18TH DAY OF NOVEMBER 2011.

H. I. ONG'UDI

JUDGE