



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI (NAIROBI LAW COURTS)
Miscellaneous Civil Application 604 of 2008
IN THE MATTER OF THE MENTAL HEALTH ACT
(CAP 248 OF LAWS OF KENYA)

AND
IN THE MATTER OF J.W

IN THE MATTER OF C.M.W

AND
THE ESTATE OF THE LATE F.W.K
ALIAS F.S.K. K

THE ESTATE OF THE LATE E.W.W
ALIAS E.W.J

J. K. W.....1ST PETITIONER
P.N.W.....2ND PETITIONER

RULING

1. The court has considered the ex parte Notice of Motion dated 23/07/2009 as supported by the grounds on the face thereof and the averments in both the supporting and supplementary affidavits of the Petitioners/Applicants. The court has also considered the provisions of section 26(1) and (3) of Cap 248 Laws of Kenya. Upon these considerations, the court is satisfied that there is good reason for this court to revisit its ruling made on 3/04/2009 so that the Petitioners are able to manage the affairs of their mentally ill-mother J.K.W.
2. Accordingly the application dated 23/07/2009 is allowed in terms prayer (a) thereof. The Petitioners/Applicants be and are hereby authorized to manage the property of the said J.K.W, their mentally ill-mother.
3. The costs of this application shall be in the cause.
Orders accordingly.

Dated and delivered at Nairobi today 14/01/2010 in the presence of learned counsel Miss Kirui for the Petitioners/Applicants with the court clerk Weche being in attendance.

R.N. SITATI
JUDGE

14/01/2010