



**REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI (NAIROBI LAW COURTS)**

Miscellaneous Case 15 of 2010

IN THE MATTER OF THE MENTAL HEALTH ACT CAP 248

AND

IN THE MATTER OF A.A (SUBJECT)

RULING:

Before me is a chamber Summons dated 8th February 2010 filed by *E.A.K* the applicant under certificate of urgency. It seeks two orders. The substantive order sought is as follows:-

THAT E.A.K be appointed as guardian in respect of Mrs.A. A.

The application was filed with a supporting affidavit sworn on 8th February 2010 by the applicant. It is deposed that the subject is a person who has been retired on medical grounds. It is disclosed in documents filed that there are three siblings of the applicant, who have also given their written consent.

I have considered the application and documents filed. The documents filed clearly show that the subject was adjudicated as mentally ill by a medical board. There is need to appoint a guardian or guardians. I am reluctant however to appoint one person as guardian of the subject, seeing that she has other adult children.

I therefore order that E.A.K and G.O (both children of the subject) be and are hereby jointly appointed as guardians of A.A.

It is so ordered.

Dated and delivered at Nairobi this 15th day of February 2010.

George Dulu

Judge.