



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

**Succession Cause 1480 of 2008**

Before me is a summons for confirmation of grant dated 22<sup>nd</sup> January 2010, filed by M/s Muthoga Gaturu and Company Advocates for the applicants named as **PETER MUNGAI WANJIKU** and **CHARLES MUHIA WANJIKU**. The applicants are the administrators in the estate of the late **JULIUS NGUGI**. The Letters for administration were granted by Court on 29<sup>th</sup> October 2008, as amended on 19<sup>th</sup> October 2009. The administrators have now come to court under certificate of urgency in this application said to be filed under section 71 (3) and 47 of the Law of Succession Act ( Cap 160), as well as rule 40(1) and 73 of the Probate and Administration Rules . The orders sought are as follows:

1. **THAT** the grant of letter of administration intestate made in this matter on 29<sup>th</sup> October 2008 and amended on 19<sup>th</sup> October 2009 be confirmed to **PETER MUNGAI WANJIKU** and **CHARLES MUHIA WANJIKU**.
2. **THAT** costs of this application be costs in the cause.

The reasons and grounds for the application are that the administrators are young adults and the only dependants of the deceased who risked not continuing with post secondary education unless the court grants them access to funds held in the account. Secondly that the estate continued to incur debts and liabilities which needed to be settled to preserve some of the properties in the interests of the beneficiaries.

It was deposed in the supporting affidavit that the other dependant, the widow of the deceased **JANE WANJIKU MUNGAI** passed away. The said **JANE WANJIKU MUNGAI** was the previous sole administrator before the grant was amended.

I have considered the application and the documents filed. It is apparent from the documents filed that the applicants, who are the administrators, are the only survivors or beneficiaries of the estate. They have agreed to the mode of distribution in a joint affidavit sworn on 22<sup>nd</sup> January 2010. I see no objection to the request for confirmation. The application will therefore be allowed.

Consequently, and for the above reasons, I allow the application and confirm the letters of administration. The distribution will be as agreed. Costs in the cause.  
It is so ordered.

Dated and delivered at Nairobi this 9<sup>th</sup> day of February 2010.

**George Dulu**  
**JUDGE.**

