



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
SUCCESSION CAUSE 439 of 2008

IN THE MATTER OF THE ESTATE OF JULIUS MURITHI M'IKIARA (DECEASED)
GRACE NAITORE MURITHI PETITIONER

RULING

Grace Naitore Murithi is a widow of the late Julius Murithi M'Ikiara, deceased, whose estate this succession concerns. The deceased left surviving him the following:-

- (1) *Grace Naitore Murithi – widow*
- (2) *Judith Mwendwa Murithi – daughter*
- (3) *Catherine Kinya Murithi – daughter*
- (4) *Martin Koome Murithi – son*
- (5) *Antony Mwenda Murithi – son*
- (6) *Josphine Karwitha Murithi – daughter*

Grant was issued to the widow on 28th January 2010. The widow filed summons dated 14th April 2010 seeking confirmation of the said grant before the expiry of 6 months on the basis that Kenya Ports Authority requires a confirmed grant in order for it to release to her dividends of the deceased. That she, being a house wife, has no other source of income and she need additionally to access the deceased bank accounts. All the beneficiaries have consented to the mode of distribution but in my view, interest of justice require that mode to be modified. I order that the grant issued on 28th January 2010 be confirmed as follows:-

1. ***Fixed deposit account No. 7033717 and savings account No. 3698943 with Barclays Bank of Kenya at Nkuruma Road Mombasa Branch to go to Grace Naitore Murithi absolutely.***
2. ***Ruiri/Rwarera/359 to go to the following in equal shares:-***
 - (a) ***Judith Mwendwa Murithi***
 - (b) ***Catherine Kinya Murithi***
 - (c) ***Martin Koome Murithi***
 - (d) ***Antony Mwenda Murithi***
 - (e) ***Josphine Karwitha Muriithi***
3. ***Ontulili/Ontulili Block Katheri/136 to Martin Koome Murithi absolutely.***
4. ***Plot No. Mombasa/Block/192 M.S. at Likoni to Grace Naitore Muriithi absolutely.***
5. ***Ntima/Ntakira Block Katheri 136 to go to Grace Naitore Murithi for her lifetime and thereafter to go in equal shares to:-***
 - (a) ***Judith Mwendwa Murithi***
 - (b) ***Catherine Kinya Murithi***
 - (c) ***Martin Koome Murithi***
 - (d) ***Antony Mwenda Murithi***
 - (e) ***Josephine Karwitha Murithi***
6. ***Dividends and or shares with Kenya Ports Authority to go to Grace Naitore Murithi.***

Dated and delivered at Meru this 4th day of June 2010.

MARY KASANGO
JUDGE