

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KITALE

Probate & Administration 263 of 2006

IN THE ESTATE OF MARTHA WANJIKU MATHENGE – DECEASED.

AND

REUBEN NJIRI MATHENGE.....RESPONDENT.

R U L I N G.

By an application by way of Form P & A 80 filed in court on 23rd November, 2006 the applicant, Reuben Njiri Mathenge, petitioned the honourable court to issue him with letters of administration intestate to the estate of the late Martha Wanjiku Mathenge who died on 15th June, 1994.

The application is supported by the affidavit of Reuben Njiri Mathenge sworn on 15th November, 2006.

The assets discussed in the said affidavit is land title No. Kapkoi Scheme Plot No. 142 measuring 5 acres and valued at approximately Ksh. 1,000,000/=.

The applicant held himself out as the only beneficiary of the estate.

Out of curiosity the court summoned the assistant chief of the Kapkoi sub location the S.R. Ngisieri, who testified that he is conversant with the applicant. That the applicant resides at Kapkoi sub location which is within Kakambui location. That he used to know Martha Wanjiku Mathenge who died in the year 1994 and was buried within his sub-location aforesaid. That the deceased had only one child, who is the applicant herein.

On the basis of the foregoing evidence, I am inclined to grant this application, which I hereby do.

Accordingly the grant issued by this court on 15th July, 2007 is hereby confirmed.

Dated and delivered at Kitale this 4th day of June, 2009.

N.R.O. OMBIJA.

JUDGE.