

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA

AT EMBU

Succession 451 of 2002

IN THE MATTER OF THE ESTATE OF MITHAMO GAKENGE NJERU...DECEASED

AND

FRANCIS MUCHIRA.....PETITIONER

and

NANCY WARUGURU MITHAMO.....OBJECTOR

RULING

Application dated 11/7/2007 is filed by Francis Muchira Mithamo one of the administrators seeks to rectify the name of deceased to enable estate to be distributed.

The application is not opposed by co-administrator. The second wife of the deceased Lucy Muthoni Mithamo does not object.

From the death certificate the name of deceased is Mithamo Gakenge Njeru. Also in the title deeds relating to his property he is named as Mithamo Gakenge. I therefore allow application and order the name of deceased to be rectified thus "Mithamo Gakenge Njeru also known as Mithamo Gakenge (deceased)". This will remove further doubts as to the identity of the deceased.

It is so ordered.

Dated this 17th January, 2008.

J. N. KHAMINWA

JUDGE

17/12008

Khaminwa – Judge

Njue – Clerk

Parties present

Francis, Nancy not represented.

Ruling read in open court.

J. N. KHAMINWA

JUDGE