

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MERU

Succession Cause 236 of 1999

IN THE MATTER OF THE ESTATE OF M'IMANYARA M'IMONGI(DECEASED)

JOSEPH NTURIBI M'IMANYARA OBJECTOR/APPLICANT

VERSUS

MARGARET KANINKIO M'IMANYARAPETITIONER/RESPONDENT

RULING

On 12th February, 2001 this court issued certificate of confirmation of the grant issued on 9th March, 2000 to the petitioner, Margaret Kaninkio.

The instant application dated 20th April, 2006 brought by the objector/applicant, Joseph Nturibi M'Imanyara seeks an order to amend the certificate of confirmation in respect of his name as well as that of the petitioner.

In the certificate of confirmation the objector/applicant's name is reflected as Joseph Nturibi without M'Imanyara as the last name in the manner contained is his identification card. Similarly in the petitioner's last name, M'Imanyara has been omitted in the certificate. Under Section 74 of the Law of Succession Act such omission or errors are curable by alteration or amendment.

This application is, therefore, granted and the names of the objector/applicant and the petitioner shall be corrected as suggested in (a) of the Notice of Motion dated 20th April, 2006.

It is also noted that, the certificate of confirmation as issued on 12th February, 2001 is incomplete.

That omission also to be rectified.

I make no orders as to costs.

DATED AND DELIVERED AT MERU THIS 18th DAY OF May, 2007.

W. OUKO

JUDGE