



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT KISII**  
**SUCCESSION CAUSE NO.157 OF 2003**

**IN THE MATTER OF THE ESTATE OF MARK MOKUA ..... DECEASED**

**BETWEEN**

**JOHN ONYINKWA MOKUA ..... APPLICANT/PETITIONER**

**AND**

**FLORENCE KEMUMA MAKORI ..... OBJECTOR**

**RULING:**

The applicant/objector applies to court to revoke or annul Grant of Letters of Administration granted to JOHN ONYIKWA MOKUA in respect of the Estate of the deceased MARK MOKUA. The petitioner was a brother of the deceased. The objector is the widow of the deceased. Indeed as per the law the widow was the right person to apply for the Letters of Administration. However I do note that she signed a consent affidavit allowing the petitioner to apply for grant. The petitioner therefore did not obtain the grant fraudulently. Even in the forms filed he clearly shows the objector and her sons as the heirs. It now seems that he has changed her mind.

In the circumstances I hereby revoke the grant given to the petitioner and issue a fresh grant in the joint names of the petitioner and the objector.

It is so ordered.

**KABURU BAUNI**

**JUDGE**

**28/4/04**