



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
Where Legal Information is Public Knowledge

**In re Estate of Monica Wangui Munene alias Monica Munene alias
Monica Wangoi Munene (Deceased) (Succession Cause 3143 of 2015)
[2025] KEHC 303 (KLR) (Family) (23 January 2025) (Ruling)**

Neutral citation: [2025] KEHC 303 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

FAMILY

SUCCESSION CAUSE 3143 OF 2015

H NAMISI, J

JANUARY 23, 2025

**IN THE MATTER OF THE ESTATE OF MONICA WANGUI MUNENE ALIAS
MONICA MUNENE ALIAS MONICA WANGOI MUNENE (DECEASED)**

IN THE MATTER OF

AGNES WAIRIMU M'ANTONY APPLICANT

RULING

1. Before the Court is Summons for Confirmation of Grant dated 18 September 2024 seeking the following orders:
 - i. That the closure orders made in respect of this court file in this cause on 17 November 2023 be set aside and the file be re-opened for further orders sought herein pursuant to the directions/ order of the court made on 31 May 2022;
 - ii. That the Applicant herein, Agnes Wairimu M^cAntony, be confirmed as the sole Administrator of the Estate of the Deceased, in terms of the Certificate of Confirmation made on 30 January 2017, since the Applicant, Francis Munene Hiram, having died on 7 January 2022;
 - iii. That this Honourable Court be pleased to order the subdivision of parcel number Dagoretti/ Mutuini/352 into two equal portions so as to identify the half share due to the estate herein, and transfer such half portion to Agnes Wairimu M^cAntony;
 - iv. That the costs of this Application be costs in the cause.
2. The Application is supported by an Affidavit sworn by the Applicant in which she avers that she is the only surviving child of the marriage between the Deceased herein and her late father, Francis Munene Hiram. Her father passed away on 7 January 2022, and a copy of Certificate of Death is attached to the Affidavit.



3. On 30 January 2017, the Court confirmed the Grant issued to the Applicant. The entire estate of the Deceased was distributed to the Applicant absolutely.
4. Following Summons for Revocation filed by Francis Munene Hiram dated 30 January 2018, the Court ordered that a fresh Grant be issued in the joint names of the Applicant (Francis Munene Hiram) and Agnes Wairimu M^cAntony. It was further ordered that within 45 days both of them or any of them shall file and serve an Application for confirmation of the Grant. The matter was to be mentioned on 28 September 2022.
5. From the Court record and by the Applicant's averments, it would seem that the matter was mentioned several times, with no appearance by either the Applicant herein nor Francis Munene Hiram. The file was eventually marked as closed on 17 November 2023.
6. In the premise, I allow the Application as prayed and make the following orders:
 - a. That the order made on 17 November 2023 closing the file herein is hereby set aside and the file is reopened;
 - b. That the Applicant herein is confirmed as the sole Administrator of the estate of the Deceased in terms of the Certificate of Confirmation of Grant made on 30 January 2017;
 - c. That parcel of land number Dagoretti/Mutuini/352 be subdivided into two equal portions and one portion thereof be transferred to the Applicant herein as per the Certificate of Confirmation of Grant made on 30 January 2017;
 - d. Costs in the cause

DATED AND DELIVERED AT NAIROBI THIS 23 DAY OF JANUARY 2025

HELENE R. NAMISI

JUDGE

Delivered on virtual platform in the presence of:

Mr. Munyambu h/b Dr. Khaminwa.....for the Applicant

Libertine Achieng ---- Court Assistant

