



REPUBLIC OF KENYA



KENYA LAW
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**In re Estate of Wanyumu Kahiga (Deceased) (Succession Cause
E118 of 2023) [2025] KEHC 9634 (KLR) (23 May 2025) (Ruling)**

Neutral citation: [2025] KEHC 9634 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
SUCCESSION CAUSE E118 OF 2023
DO CHEPKWONY, J
MAY 23, 2025**

IN THE MATTER OF THE ESTATE OF THE LATE WANYUMU KAHIGA (DECEASED)

RULING

1. For determination before this Court is the Summons for Confirmation of Grant application dated 3rd February, 2025 seeking for orders that:-
 - a. That Plot No.579 Thome Farmers Limited No.1 be included in this cause.
 - b. That Grant of Letters of Administration issued to Samuel Kimanjara Wanyutu and Johnny Gachui Wanyutu on the 5th day of August, 2024 be confirmed.
 - c. That the costs of this application be paid from the deceased's estate.
2. The application is supported by the Supporting Affidavit of Samuel Kimanjara Wanyutu and Johnny Gachui Wanyutu sworn on 3rd February, 2025 alongside the mode of distribution of the Estate, and Consent to Confirmation of Grant and a full inventory of all the assets and liabilities of the deceased as at the time of his death on even date.
3. In consideration of the said application, I have perused the record and established that the Grant of Letters of Administration was issued to the Two (2) Administratrix, Samuel Kimanjara Wanyutu and Johnny Gachui Wanyutu being Sons of the Deceased, on 5th August, 2024.
4. The court has confirmed that the Administratrix in the Succession Cause have identified by their joinder Supporting Affidavit sworn on 3rd February, 2024 in support of the application of the Estate, the beneficiaries who are not Administrators, Sons of the Deceased determined and set out in the schedule of each beneficiary's share.
5. The court has further confirmed that the beneficiaries, being Sons the Deceased, all both adults have consented to the proposed mode of distribution of the Estate as set out in the consent. And for transparency and fairness, the said beneficiaries were notified of the Petition for confirmation and both have attended court, and on oath, they have confirmed that they are in agreement with the proposed



mode of distribution, which is consistent with the principles of distribution in cases of Intestate Succession.

6. This Court has thus satisfied that all the required documents have been filed, requisite steps followed in terms of the Law of Succession and there is no pending application by any persons(s) seeking to protest the same.
7. Accordingly, being so satisfied, the court proceeds to order that:-
 - a. The Grant of Letters of Confirmation of Grant Intestate (testate) made to the said Samuel Kimanjara Wanyutu and Johnny Gachui Wanyutu on 3rd February, 2025 be and is hereby confirmed.
 - b. That a Certificate of Confirmation of Grant to issue as per the schedule in the affidavit of support of the Summons of Confirmation of Grant dated 3rd May, 2024.
 - c. That the Petitioner(s) be and is (are) hereby appointed as personal representative(s) of the Estate of Wanyutu Kahiga (Deceased) to manage and distribute the assets and liabilities (if any) thereof.
 - d. Being a family matter, there shall be no order as to costs.

It is so ordered.

RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 23RD DAY OF MAY , 2025.

D. O. CHEPKWONY

JUDGE

