



REPUBLIC OF KENYA



**In re Estate of Joseph Kariuki Mwangi (Deceased) (Probate & Administration  
E005 of 2025) [2025] KEHC 5702 (KLR) (5 May 2025) (Ruling)**

Neutral citation: [2025] KEHC 5702 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NYAHURURU  
PROBATE & ADMINISTRATION E005 OF 2025**

**LN MUTENDE, J**

**MAY 5, 2025**

**IN THE MATTER OF THE ESTATE OF JOSEPH KARIUKI MWANGI (DECEASED)**

**IN THE MATTER OF**

**CATHERINE WANGARI KARIUKI ..... 1<sup>ST</sup> PETITIONER  
KEVIN GATHAGE KARIUKI ..... 2<sup>ND</sup> PETITIONER  
DAISY AGNES WAMBUI KARIUKI ..... 3<sup>RD</sup> PETITIONER  
CHARLES MWANGI KARIUKI ..... 4<sup>TH</sup> PETITIONER**

**RULING**

1. The Petitioners, presented to this court a petition seeking grant of Letters of Administration intestate dated 15/10/2024 respect of the Estate of the Deceased.
2. On 10/4/2025, they approached the court seeking grant of letters of Administration Ad-Litem to issue to Daisy Agnes Wambui Kariuki for purposes of filing suit and acting in a matter- MCELC No. E 1489 of 2020 without distribution of the Estate.
3. The petition is supported by an affidavit deposed by the Applicants and Denis Kamau Kariuki, a beneficiary of the Estate who aver that the deceased, died on the 17th January, 2024 domiciled in Kenya while he was a party in the land case which was dismissed as Daisy who purported to be his legal representative lacked the locus Standi to prosecute the suit.
4. That the suit in issue touches on property Title Number LR 9xxx/xx-Grant LR 6xxx in the name of the deceased which calls upon the intervention of the court to protect and preserve the Estate of the deceased.
5. I have duly considered the application. Generally, an action regarding the estate of the deceased would be conducted after confirmation of the grant of representation. However, there are instances where



there is need for action to be taken by the dependants to preserve the estate, including acting in ongoing legal proceedings; and, it is on such an instance that a limited grant can be issued.

6. It is demonstrated that the deceased was involved in litigation at the time of his death. This calls on someone being allowed to continue with the litigation and in the instant case Daisy has been identified to act as such.
7. In the premises, I am satisfied as to the reasons why the Limited grant of letters Administration Ad-Litem should issue. Consequently, I direct that Letters of Administration Ad-Litem shall issue to Daisy Agnes Wambui Kariuki limited to filing and prosecution of the suit without power of Distribution of the Estate.
8. It is so ordered.

**DATED, SIGNED AND DELIVERED VIRTUALLY THIS 5<sup>TH</sup> DAY OF MAY, 2025.**

**L.N. MUTENDE**

**JUDGE**

