



REPUBLIC OF KENYA



KENYA LAW
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Kamau v Medical Officer of Health Nakuru & another (Family Miscellaneous Application E001 of 2025) [2025] KEHC 5807 (KLR) (7 May 2025) (Ruling)

Neutral citation: [2025] KEHC 5807 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
FAMILY MISCELLANEOUS APPLICATION E001 OF 2025**

JM NANG'EA, J

MAY 7, 2025

BETWEEN

HANNAH NJERI KAMAU APPLICANT

AND

MEDICAL OFFICER OF HEALTH NAKURU 1ST RESPONDENT

HON ATTORNEY GENERAL 2ND RESPONDENT

RULING

1. By Chamber Summons dated 13th January, 2025 the Applicant seeks the following orders:-
 1. That this Honourable Court be pleased to issue an order directing the Medical Officer of Health, Nakuru County, to authorize the exhumation of the body of Samwel Mbatia Kamau buried on 15th July 2005 at Block Q Grave No. 133 at Municipal Council of Nakuru Burial Section in Langalanga, Nakuru County.
 2. That this Honourable Court does issue an order That the Applicant be issued with the relevant permit to exhume and re-inter the body of Samuel Mbatia Kamau by the 1st Respondent.
 3. That the exhumation be carried out in accordance with the provisions of the *Public Health Act*, Cap 242, and under the supervision of a qualified medical officer and public health officer to be assigned by the 1st Respondent.
 4. That the remains of the deceased be relocated to the family's graveyard in the Family's land L.R. No. Bahati Wendo/163 in Nakuru County.
 5. That the costs of this application be in the cause.
2. The application is supported by grounds on the body thereof and affidavit evidence of the Applicant.



3. The application is unopposed. Upon perusing the same together with the supporting evidence, the same is allowed with no orders as to costs.

J. M NANG'EA, JUDGE.

RULING DATED, SIGNED AND DELIVERED ONLINE VIA MICROSOFT TEAMS AT THIS 7TH DAY OF MAY, 2025 IN THE PRESENCE OF:

Applicant's Advocate, Mr. Kalua

Respondents, Absent

The Court Assistant (Jeniffer)

J. M NANG'EA, JUDGE.

