



**In re Estate of Mokua Mwanda alias Patrick Mokua Mwanda & Ragira Mwanda (Deceased)  
(Succession Cause 279 of 1999) [2025] KEHC 9790 (KLR) (16 June 2025) (Ruling)**

Neutral citation: [2025] KEHC 9790 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISII  
SUCCESSION CAUSE 279 OF 1999**

**TA ODERA, J**

**JUNE 16, 2025**

**IN THE MATTER OF THE ESTATE OF MOKUA MWANDA ALIAS  
PATRICK MOKUA MWANDA AND RAGIRA  
MWANDA..DECEASED**

**AND**

**IN THE MATTER OF AN APPLICATION BY:**

**IN THE MATTER OF**

**ELIZABETH MORAA MOKUA ..... PETITIONER**

**RULING**

1. The applicant filed application dated 29.5.24 seeking that the orders dated 14.3.2022 be set aside and that the letters of administration be confirmed. They alleged that the file was closed due to miscommunication between them and their former advocates. It is trite law the mistake of an advocate should not be visited upon his innocent client. I allow pray 1 of the application.
2. I have carefully Perused this file and I note that this succession cause relates to the estate of Mokua Mwanda alias Matrick Mokua Mwanda and Ragira Mwanda. A gazette notice was issued in the joint names of the said two deceased persons and letters of administration were issued in both estates on 1.11.2000. The *law of Succession Act* does not envisage a situation whereby one succession cause is filed in respect of estates of two deceased persons. The grant issued on 1.11.2000 herein on was deemed to have been revoked upon closure of the file on 14.3.2020. I direct that a fresh succession cause for each deceased be filed each deceased to have his filed. The grant issued on 1.11.2000 herein on was deemed to have been revoked upon closure of the file. I am not inclined to reinstate it. This file is closed.

**T.A ODERA**

**JUDGE**



**16.6.25**

Delivered virtually via teams platform in the presence of:

Court Assistant- Kipchirchir

