



**In re Estate of Joel Muriuki Rutere (Deceased) (Succession Cause 412B of 2013) [2024] KEHC 2916 (KLR) (14 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 2916 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MERU  
SUCCESSION CAUSE 412B OF 2013  
TW CHERERE, J  
MARCH 14, 2024**

**IN THE MATTER OF THE ESTATE OF JOEL MURIUKI RUTERE (DECEASED)  
AND  
IN AN APPLICATION TO DISPOSE OFF PROPERTY**

**IN THE MATTER OF  
PURITY KENDI ..... APPLICANT**

**RULING**

1. The estate of the deceased was distributed vide a Certificate of Confirmation dated 14<sup>th</sup> October, 2014.
2. Purity Kendi (Applicant) is the widow of the deceased and mother to Vincent Mwenda and Marklewis Mutethia (minor) in whose joint favour LR. Kiirua/Kiirua/1347 was distributed and transmitted.
3. Applicant seeks leave of court to dispose of the said property to pay fees for the children and to invest in business.
4. Annexed to her affidavits sworn on 28<sup>th</sup> November, 2023 and 26<sup>th</sup> February, 2024 are fees structures from Meru School and Kiurani Boys High School.
5. Also filed is a consent signed by the children and the larger family of the deceased who have indicated that they have no objection to the disposal of the asset in issue for the intended purpose.
6. From the foregoing, I find that the interest of justice demand that the application be allowed to allow the children of the deceased to continue with their education and his widow to invest in business for the benefit of herself and the children.
7. Consequently, the summons dated 28<sup>th</sup> November, 2023 is allowed in the following terms:
  1. A vesting order for the sale of LR. Kiirua/kiirua/1347 is hereby issued to Purity Kendi



2. Purity Kendi shall render and file full accounts of the proceeds of sale
3. This cause will be mentioned on 19<sup>th</sup> September, 2024 to confirm compliance with orders (1 and (2) above

**DATED AT MERU THIS 14<sup>TH</sup> DAY OF MARCH 2024**

**T. W. CHERERE**

**JUDGE**

Appearances

Court Assistants - Kinoti/Munene

For Applicant - Ms. Nakandi for Daniel & Kenneth Advocates LLP

