



**In re Estate of M'Mbui Marete (Deceased) (Succession Cause
365 of 2013) [2024] KEHC 5565 (KLR) (18 April 2024) (Directions)**

Neutral citation: [2024] KEHC 5565 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MERU
SUCCESSION CAUSE 365 OF 2013**

TW CHERERE, J

APRIL 18, 2024

**IN THE MATTER OF THE ESTATE OF M'MBUI MARETE
(DECEASED)**

IN THE MATTER OF

WILLISON KINOTI M'MBUI PETITIONER

DIRECTIONS

1. By chamber summons dated 02nd October, 2020, Willison Kinoti M'Mbui (Petitioner/Applicant) seeks orders: -
 - a. That the court do amend and rectify the grant so as to include parcel Number Kibirichia/ Kibirichia/2530 in the grant and same be awarded to Rose Kinya Gitonga or to Wilson Kinoti M'Mbui the administrator herein
 - b. That the court grant any other relief for the ends of justice to be met.
2. The application is supported by Petitioner/Applicant's affidavit sworn on 18th October, 2020 and on annexures thereto.
3. From the mutation form annexed to the supporting affidavit, it has been demonstrated that Kibirichia/ kibirichia/1770 was partitioned into 9 portions two of which were to go to the applicant and one other to applicant and one George Marangu Mbui whereas the other 6 were to go to 6 other beneficiaries
4. Search certificates presented by the applicant reveal that 3 assets namely Kibirichia/Kibirichia/5845, 5847 and 5850 are already registered in the name of the Applicant and Kibirichia /Kibirichia/2530 whose nexus to the deceased has not been explained to the satisfaction of the court is registered in the name of one Joseph Gikunda Rimberia and Applicant seeks to have it transferred to him.
5. For reasons only known to him, Applicant has omitted to file the search certificates of the other assets to demonstrate that he has completed the administration of the estate as ordered by the court.



6. The application before the court only seeks to benefit the Applicant and the court declines the invitation to countenance such injustice to the other beneficiaries.
7. It is therefore hereby directed:
 1. The ruling scheduled for 18th April, 2024 is stayed
 2. Applicant is directed to file green card for Kibirichia/kibirichia/1770 and the respective search certificates that arising from subdivision thereof
 3. Applicant is additionally directed to file search certificates of all the other assets on the Certificate of Confirmation of Grant dated 20th November, 2018 to confirm the progress on transmission of the assets
 4. The chamber summons dated 02nd October, 2020 shall be served on all the beneficiaries named on the Certificate of Confirmation of Grant dated 20th November, 2018
 5. This cause will be mentioned on 12th June, 2024 for directions

DELIVERED AT MERU THIS 18TH DAY OF APRIL 2024

WAMAE. T. W. CHERERE

JUDGE

Appearances

Court Assistants - Kinoti/Munene

For Petitioner/Applicant - Mrs. Kaume for M.G.Kaume & Co. Advocates

