



REPUBLIC OF KENYA



**In re Estate of Githiora Joseph Nyoike (Probate & Administration
E002 of 2024) [2024] KEHC 4628 (KLR) (12 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 4628 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
PROBATE & ADMINISTRATION E002 OF 2024
DO CHEPKWONY, J
APRIL 12, 2024**

RULING

1. Before the court is the Petition for Grant of Administration Ad Litem dated 13th November, 2023 which is supported by the Affidavit of Esther Waithira Kamiri and George Ndungu Nyoike (“hereinafter referred to as the Petitioners”) sworn on even date.
2. According to the Application, the deceased, Joseph Nyoike Githiora died in a road traffic accident on 29th June, 2023 at Lioko Ruturo in Githunguri along Kiambu road as indicated in the police abstract. The Petitioners intend to sue the owner of Motor vehicle Registration No.KDD 231X being George Michael Mbakahya as seen in the Motor Vehicle Search Certificate for damages on behalf of the Estate of the deceased.
3. Having read through the Petition and the documents attached being the Death Certificate, Letter from Chief of Ikinu Location dated 9th October,2023, copies of the Police Abstract and the Motor Vehicle Search Certificate, the court is satisfied that the Petitioners have satisfied the requirements set out under Section 54 of the *Law of Succession Act* (Cap 160 of the Laws of Kenya) to warrant the issuance of the Grant of Letters of Administration Ad Litem by the court.
4. Therefore, the court hereby directs that Grant of Letters of Administration Ad Litem do issue to Esther Waithira Kamiri and George Ndungu Nyoike, deceased’s wife and son respectively, in respect of the Estate of the Deceased, Joseph Nyoike Githiora to enable them file a suit against the owner of Motor Vehicle Registration KDD 231X, one George Michael Mbakahya to recover damages in respect of the deceased and his dependants.

It is so ordered.

RULING DELIVERED, DATED AND SIGNED AT KIAMBU THIS 12TH DAY OF APRIL, 2024.

D. O. CHEPKWONY

JUDGE

