



In re Estate of M’Ndegwa M’Riria (Deceased) (Succession Cause 13 of 2010) [2024] KEHC 6201 (KLR) (23 May 2024) (Ruling)

Neutral citation: [2024] KEHC 6201 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MERU
SUCCESSION CAUSE 13 OF 2010**

TW CHERERE, J

MAY 23, 2024

**IN THE MATTER OF THE ESTATE OF M’NDEGWA M’RIRIA
(DECEASED)**

BETWEEN

CHARLES KABURU NDEGWA ADMINISTRATOR

AND

CATHERINE KANYUA MUNENE ADMINISTRATOR

RULING

1. This court by a ruling dated 29th February, 2024 gave direction concerning distribution of deceased’s estate.
2. In response sworn on 14th May, 2024 to summons dated 29th April, 2024 in which Catherine Kanyua Munene (2nd Administrator/Applicant) seeks orders that the Deputy Registrar be authorized to sign transmission documents on behalf of Charles Kaburu Ndegwa (1st Administrator/Respondent), the latter explains that he wants to appoint a surveyor to represent him during the subdivision of the estate.
3. The 1st Administrator/Respondent explanation though reasonable does not entitle him to delay the execution of this court’s orders.
4. The summons dated 29th April, 2024 is therefore determined in the following terms:
 1. In the event that Charles Kaburu Ndegwa (1st Administrator/Respondent) declines to sign the transmission forms within 7 days of their presentation to him or his advocate, this court hereby authorizes and empowers the Deputy Registrar of this court to sign all the necessary transmission documents on his behalf to ensure that the estate of deceased is transmitted



2. Charles Kaburu Ndegwa (1st Administrator/Respondent) is at liberty to be represented by his appointed surveyor on the date scheduled for subdivision of deceased's estate
3. To ensure that the subdivision proceeds without interruption from any party, the OCS Runogone Police Station is directed to provide security on the date scheduled for subdivision of deceased's estate
4. Each party shall bear its own costs
5. Mention 17th October, 2024 to confirm transmission

DATED AT MERU THIS 23RD DAY OF MAY 2024

WAMAE.T. W. CHERERE

JUDGE

Appearances

Court Assistants - Kinoti/Munene

For 2nd Administrator/Applicant - Mr. Mwirigi for J.O.Ondieki & Co. Advocates

For 1st Administrator/Respondent - Mr. Muthomi for John Muthomi & Company Advocates

