



REPUBLIC OF KENYA



In re Estate of M'ndegwa M'riria (Deceased) (Succession Cause 13 of 2010) [2024] KEHC 6229 (KLR) (23 May 2024) (Ruling)

Neutral citation: [2024] KEHC 6229 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MERU
SUCCESSION CAUSE 13 OF 2010
TW CHERERE, J
MAY 23, 2024**

BETWEEN

CATHERINE KANYUA MUNENE APPLICANT

AND

CHARLES KABURU NDEGWA RESPONDENT

RULING

1. This court by a ruling dated February 29, 2024 gave direction concerning distribution of deceased's estate.
2. In response sworn on May 14, 2024 to summons dated April 29, 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 April 29, 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 those documents on his behalf
 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 either 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

Dated at Meru this 23rd DAY OF May 2024



WAMAE.T. W. CHERERE

JUDGE

Appearances

Court Assistants - Kinoti/Munene

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

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

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