



REPUBLIC OF KENYA



In re Estate of M'Rukunga M'Limberia M'Nyumoo (Deceased) (Succession Cause 100 of 2014) [2024] KEHC 6197 (KLR) (23 May 2024) (Ruling)

Neutral citation: [2024] KEHC 6197 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MERU
SUCCESSION CAUSE 100 OF 2014
TW CHERERE, J
MAY 23, 2024**

**IN THE MATTER OF
ROMANO NKARAKACHIA RUKUNGA PETITIONER
AND
RIIRI LUCI KANENE OBJECTOR
AND
SEBASTIAN MWENDA IWETA INTERESTED PARTY**

RULING

1. By ruling dated 27th April, 2023, this court directed that deceased's estate comprised in LR. Akithi/Atwana/749 and LR. Akithi/Athwana/Akithi/998 shall be distributed in equal shares to the following:
 - i. Warichiu Karongo
 - ii. Achuka M'Rukunga
 - iii. Jeniffer Kairu
 - iv. Riiri Luci Kanene
 - v. Maliceta Munyala Kananu
 - vi. The estate of Ezra Kaburanga
 - vii. Romano Nkarichia Rukungu
2. By chamber summons dated 18th March, 2024, Applicant seeks rectification of the grant on the size of the land each is entitled to. He also seeks that the shares for Achuka M'Rukunga and Ezra Kaburanga be distributed to their children Douglas Kimathi and Abraham Gitiye Nkarichia respectively.



3. Annexed to the supporting affidavit is a consent signed by the parties and so the application is not opposed.
4. The foregoing notwithstanding, the matter herein relates to the estate of M'Rukunga M'Limberia and not of his deceased sons Achuka M'Rukunga and Ezra Kaburanga. The invitation to distribute their shares in this cause to their children is hence rejected.
5. In the end, the chamber summons dated 18th March, 2024 is determined in the following terms:
 1.
 - (a) LR. Akithi/Atwana/749 is distributed as follows:
 - i. Narichiu Karongo - 25 points
 - ii. The estate of Achuka M'Rukunga -10 points
 - iii. Jeniffer Kairu - 10 points
 - iv. Riiri Luci Kanene - 10 points
 - v. Maliceta Munyala Kananu - 10 points
 - vi. The estate of Ezra Kaburanga - 1 acre
 - vii. Romano Nkarichia Rukungu - balance
 - b. LR. Akithi/Athwana/998
Romano Nkarichia Rukungu - whole*
 2. The Certificate of Confirmation of Grant dated 04th July, 2023 shall be rectified accordingly

DATED AT MERU THIS 23rd Day of May 2024

WAMAE. T. W. CHERERE

JUDGE

Appearances

Court Assistant - Morris Kinoti

For Petitioner - Mr. Kaba for M.D.Maranya & Co. Advocates

For Objector - Mr. Kaba for M.D.Maranya & Co. Advocates

For Interested Party - Mr. Muthamia for Bundi Muthamia & Co. Advocates

