



In re Estate of Tom Odhiambo Odongo (Deceased) (Succession Cause E018 of 2024) [2024] KEHC 6017 (KLR) (23 May 2024) (Ruling)

Neutral citation: [2024] KEHC 6017 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
SUCCESSION CAUSE E018 OF 2024
RE ABURILI, J
MAY 23, 2024**

BETWEEN

JOSELINE OYUGI ODONGO APPLICANT

AND

PUBLIC TRUSTEE 1ST RESPONDENT

ATTORNEY GENERAL 2ND RESPONDENT

RULING

1. The Applicant Joseline Oyugi Odongo who was the administrator of the deceased's estate was discharged by the court which revoked the grant issued to him and confirmed on 30th May 2016 in Succession Cause No. 1121 of 2014.
2. It follows that he has no audience before this court and that position was recorded by the court when it was observed in the previous proceedings that the deceased's children were now of age (adults) hence the property could be given to them.
3. From the affidavit of the Public Trustee, the estate was closed after distribution of the estate property of the deceased Tom Odhiambo Odongo, held by the Public Trustee. There is a discharge signed by the beneficiaries who have not come to court to complain that they have any issue with the Public Trustee. The applicant is not a beneficiary of the estate albeit he tried to get apportion of 10% of the estate property held by the Public Trustee in vain.
4. The Applicant cannot purport to be ignorant of this purpose. The Applicant has no audience before this court.
5. The application dated 14th March 2024 seeking to have the public trustee account for the estate of the deceased is found to be devoid of merit. It is hereby dismissed.
6. The file is closed.



DATED, SIGNED AND DELIVERED AT KISUMU THIS 23RD DAY OF MAY, 2024

R. E. ABURILI

JUDGE

