



REPUBLIC OF KENYA



In re Estate of Agutu Jennifer (Deceased) (Miscellaneous Succession Cause 168 of 2024) [2024] KEHC 6890 (KLR) (7 June 2024) (Ruling)

Neutral citation: [2024] KEHC 6890 (KLR)

REPUBLIC OF KENYA

IN THE HIGH COURT AT KISUMU

MISCELLANEOUS SUCCESSION CAUSE 168 OF 2024

RE ABURILI, J

JUNE 7, 2024

IN THE MATTER OF THE ESTATE OF AGUTU JENNIFER (DECEASED)

AND

IN THE MATTER OF AN APPLICATION BY LINDA MARIA AWUOR (APPLICANT)

(Arising from Kisumu Chief Magistrate P&A No. E079 of 2024)

RULING

1. This Succession Cause arises from Kisumu CM P&A No. E079 of 2024.
2. The deceased was domiciled in Maliera Sub-location, Gem Sub-county within Siaya County. That is where she died from and was buried.
3. The fact that one of her assets is found to be Kisumu/Dago/2067 or Nairobi/Block 72/496 does not automatically place her estate within the jurisdiction of Kisumu Chief Magistrate's Court.
4. Her estate shall be administered from where she was domiciled.
5. As it is not clear whether the estate property is below or above the pecuniary jurisdiction of the Magistrate's Court, which property is in the cities of Kisumu and Nairobi, I hereby transfer Kisumu Chief Magistrate Succession Cause No. E079 of 2024 to Siaya High Court for consideration and further directions.
6. Upon receipt of the original Kisumu CM'S Succession Court file, the Deputy Registrar, Siaya High Court shall notify the Petitioner or her advocate to move the court for appropriate orders.
7. This file is closed.
8. I so order.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 7TH DAY OF JUNE, 2024.

R. E. ABURILI



JUDGE

