

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

FAMILY DIVISION

SUCCESSION CAUSE NO. 2807 OF 2003

IN THE MATTER OF THE ESTATE OF JANE WAITHIRA NJERU (DECEASED)

JANE WARIGIA MACHARIA.....APPLICANT

R U L I N G

1. I have considered the application dated 15th November, 2019. Although the application names two people, **Peter Kamande Gicha and Simon Mwangi Wainaina**, the ruling of Muigai J revoked the grant that was earlier issued to them and since they are not members of the deceased family their presence is therefore not necessary.
2. The court having revoked the grant issued to the above named persons it follows that any action they had undertaken with the illegally obtained grant is a nullity including the subdivision of the only asset of the estate being **L.R. No. Loc 1/Mugumoini/1247** which they subdivided into 4 properties **1284, 1405, 1406 and 1407**.
3. The Registrar of titles is therefore directed to cancel the subdivisions and restore the original title pending further orders of the court.

DATED, SIGNED and DELIVERED at NAIROBI this 8TH DAY OF OCTOBER, 2020.

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ALI-ARONI

JUDGE