



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI**

**FAMILY DIVISION**

**MISC. APPLICATION NO. 44 OF 2018**

OKK.....1<sup>ST</sup> APPLICANT

LMM .....2<sup>ND</sup> APPLICANT

**VERSUS**

JMK .....1<sup>ST</sup> RESPONDENT

PK.....2<sup>ND</sup> RESPONDENT

CWK .....3<sup>RD</sup> RESPONDENT

**RULING.**

1. Following concerns raised by one of the relatives of the subject in this case namely JM who told the court on 15/7/2019 that the subject was isolated and was suffering, this court directed the Deputy Registrar to arrange a site visit and avail a report on the welfare of the subject.
2. The Report by the Deputy Registrar was filed in court on 29/7/2019 and consequently directions were given on 30/07/2019 appointing one independent family member to join DR M and OKK as guardians and managers of the subject.
3. The Report at page three stated that the Deputy Registrar conducted an interview on the subject with the aid of a nurse.
4. The Report states that the subject was well kept, living in a clean and serene environment and recommended that patient visits should be limited and well-co-ordinated.
5. This court directed DR.M to co-ordinate the visits and also appointed Mr. JM who is one of the relatives to assist him to manage the patients.
6. The reason for choosing JM is that both sides did not object to his appointment and he appears a neutral party in an acrimonious relation between the Applicants and the Respondents.
7. The Report also stated that the current guardians had done a commendable job and I find no reason to review the orders of this court.
8. However, I direct that the three (3) guardians give a report on the management of the subject quarterly until further notice.
9. I direct that the case be mentioned quarterly for further directions.
10. However, should any emergency occur, any party is at liberty to apply to this court for variation or review for the orders made on 30/7/2019.

**DELIVERED, SIGNED AND DATED IN OPEN COURT THIS 18TH DAY OF OCTOBER, 2019**

**ASENATH ONGERI**

**JUDGE OF THE HIGH COURT OF KENYA, NAIROBI.**