

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

SUCCESSION CAUSE NO. 135 OF 1985

IN THE MATTER OF THE ESTATE OF JACKSON MURIAMA NJUGUNA (DECEASED)

RULING

1. I delivered a ruling on 3rd May 2017, in which I gave time to the administrator to give an account on the distribution of the estate before I could consider the applications the subject of that ruling on their merits. The administrator, Henry Ruhiu Jackson, has acceded to that and complied with my directions. He swore an affidavit on 27th June 2017, filed herein on even date, where he has given details of how the estate has been distributed amongst the beneficiaries in accord with the terms of the will of the deceased. He has attached documents to support his account.

2. I have read through the said account and I am satisfied that the same is comprehensive and addresses all the concerns that I had raised in my ruling of 3rd May 2017. I believe the same comprehensively addresses all the issues raised in the applications the subject of that ruling, that is to say those dated 18th February 2014, 23rd May 2014 and 30th April 2015. I shall accordingly dismiss all three applications, with no orders as to costs.

3. I urge the parties to cooperate with the administrator so as to have their respective portions transferred to their names. Those who may wish to pursue injunctive orders are advised to move to the Environment and Land Court, which has jurisdiction over land matters. Any party aggrieved by the orders that I have made above has the liberty to move the Court of Appeal appropriately within twenty-eight (28) days.

4. As all the outstanding issues that required my attention have been addressed, I shall order that the court file be returned to the Kiambu court for final disposal. Any party unhappy with the account given shall move the Kiambu court appropriately.

DATED, SIGNED and DELIVERED at NAIROBI this 5TH DAY OF OCTOBER, 2018.

W. MUSYOKA

JUDGE