



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

SUCCESSION CAUSE 535 OF 2004

IN THE MATTER OF ESTATE OF M'MUNGANIA M'IMARIA THARIAMU (DECEASED)

PATRICK NG'OLUA M'MUNGANIA.....PETITIONER

VERSUS

FREDRICK KIMATHI NGOLUA.....1ST APPLICANT

FRANCIS KIRIMI NTORUKIRI.....2ND APPLICANT

REBECCA CIORUI M'RUKIRI.....3RD APPLICANT

JOSHUA MUTUMA M'MUNGANIA.....4TH APPLICANT

KIURU MWITI KACIUKI.....5TH APPLICANT

GLADYS KATHUBATU.....6TH APPLICANT

JAMES GITONGA.....7TH APPLICANT

CYPRIANO KABERIA.....8TH APPLICANT

ELIUD GITONGA NTORUKIRI.....9TH APPLICANT

RULING

Pursuant to the ruling delivered by Justice Makau on 2nd April 2013 on its own motion appointed 3 administrators to the estate of the deceased herein on 27.2.2018 and ordered that the 3:-

- Fredrick Kimathi Ngolua
- Kiuru Mwiti Kacuiki and
- Francis Kirimi Ntorukiri

be joint Administrators and to file application for confirmation and proposal for distribution either jointly or separately within 30 days. The 3 failed to comply with court order.

In the circumstances, the court on its own motion do hereby distribute the estate as per proposal made in submissions of the objector dated 18th February 2013 and filed on 18.2.2013 but which no objection has been raised by the petitioner as follows:-

L.R Njia/Cia Mwendwa/2581

- a) Patrick Ngolua M'Mungania – 0.10 acres
- b) Francis Kirimi – 0.10 acres
- c) Joshua Mutuma – 0.10 acres

- d) Kiuri Mwiti – 0.10 acres
- e) James Gitonga - 0.10 acres
- f) Cypriano Kaberia – 0.10 acres
- g) Eliud Gitonga – 0.10 acres
- h) Fredrick Kimathi Ngolua - $\frac{3}{4}$ Balance
- i) Rebecca Ciorui –Daughters of Deceased - $\frac{1}{4}$ Balance to share equally

L.R. Njia/Cia Mwendwa/763

- a) Patrick Ngolua M’Mungania – 0.10 acres
- b) Francis Kirimi – 0.10 acres
- c) Joshua Mutuma – 0.10 acres
- d) Kiuri Mwiti – 0.10 acres
- e) James Gitonga - 0.10 acres
- f) Cypriano Kaberia – 0.10 acres
- g) Eliud Gitonga – 0.10 acres
- h) Rebecca Ciorui –Daughters of Deceased (if any) - 0.28 acres to share equally
- i) Fredrick Kimathi Ngolua - $\frac{3}{4}$ Balance

No orders as to costs.

HON. A.ONG’INJO

JUDGE

**RULING SIGNED, DELIVERED AND DATED THIS 14TH DAY OF
NOVEMBER 2018.**

In the presence of:

C/A: Kinoti

Petitioner:- N/A

Applicant: N/A

HON. A.ONG’INJO

JUDGE