



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MACHAKOS

SUCCESSION CAUSE NO. 163 OF 2015

**IN THE MATTER OF THE ESTATE OF KASIVA ITHAU *alias* TIMOTHY KASIVA ITHAU –
DECEASED**

1. SEBASTIAN KIOKO NZIOKA

2. JOHNBOSCO KILONZO MULANDICITORS

VERSUS

1. MAITHYA KASIVA

2. MUKULU KIOKO

3. WANZA MUTHIANI

4. WAENI MAWEUCITEES

RULING OF THE COURT

1. Pursuant to the Citation to accept or refuse Letters of Administration dated **27th March, 2015** and filed herein on **19th March, 2015** this court directed the same to be served upon the Citees named therein on **6th July, 2015**, the Citees have failed or refused to enter appearance.

2. The Citor also caused a Notice of Mention of the matter to be served upon the Citees on **5th September, 2016** for Mention on **10th October, 2016** for directions pursuant to Affidavit of Service filed herein on **10th October, 2016**. However the Citees did not attend court.

3. It is now hereby ruled, ordered and directed that the Citors have leave to Petition for Letters of Administration in the estate.

4. The Petition should be taken out within thirty (30) days from the date hereof.

Orders accordingly.

DATED, SIGNED AND DELIVERED THIS 2ND DAY OF NOVEMBER, 2016

E.K.O. OGOLA

JUDGE

In the presence of;

M/S Ngatia holding brief for M/S Mutua for Citors

Court Assistant – Mr. Munyao