

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MACHAKOS

SUCCESSION CAUSE NO. 584 OF 2012

**IN THE MATTER OF THE ESTATE OF PETER DWIKO ALSO KNOWN AS PETER DWIKO
ALSO KNOWN AS PETER DWIKO NDOLO AND ALSO KNOWN AS PETER DOLO DWIKO
(DECEASED)**

**MUEMA KITULU T/A MUEMA KITULU & CO. ADVOCATES
..... CITOR/APPLICANT**

VERSUS

JONATTHAN KAVATHA NDOLO

.....
RESPONDENT

R U L I N G

1. The application dated 13/8/2012 is brought under **Rule 22 (5) A** of the **Probate and Administration Rules** and all the other enabling provisions of the law.
2. The application seeks an order that leave do issue to the Citor/Applicant to petition to this Honourable Court for grant of letters of administration in respect of the deceased's estate in favour of Jonathan **Kavatha Ndolo**.
3. The application is supported by the affidavit sworn on 13/8/2012 by the counsel for the Applicant. According to the said affidavit, the Respondent was served with the citation but failed to enter appearance. I am satisfied that the application was served as per the affidavit of service sworn by the process server on 27/9/13.
4. With the foregoing, I allow the application with costs.

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B. THURANIRA JADEN

JUDGE

Dated and delivered at Machakos this 12th day of March 2014.

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B. THURANIRA JADEN

JUDGE