



**IN THE HIGH COURT OF KENYA AT MURANG'A**

**SUCCESSION CAUSE NO 1 OF 2012**

**IN THE MATTER OF THE ESTATE OF MARY MUTHONI GIKONYO – DECEASED**

**GEREMANO MUKUNDI.....APPLICANT**

**VERSUS**

**SUSAN WAIRIMU MUTHON .....RESPONDENT**

**R U L I N G**

1. The grant of letters of administration intestate issued herein on 27<sup>th</sup> January 2014 to **Jeremano Mukundi** and **Stephen Muchiri** was confirmed early on 25<sup>th</sup> February 2014. Certificate of confirmation of grant was issued on 6<sup>th</sup> March 2014.
2. The Administrators have now come back to court by summons dated 22<sup>nd</sup> April 2014 seeking rectification of the Certificate of Confirmation of Grant. The rectification sought is inclusion among the assets of the Deceased land parcel **LR Bahati/Kabatini Block 1/634**, and distribution of that parcel to Jeremano Mukundi. It is said that the parcel was erroneously left out. Annexed to the supporting affidavit is a **certificate of official search dated 11<sup>th</sup> April 2014** which shows that the parcel of land is registered in the name of one **Mary Muthoni Gikonyo**, apparently the Deceased herein.
3. There is also the consent dated 28<sup>th</sup> November 2014 signed by the other dependants of the Deceased, **Joseph Njuguna Muchiri** and **John Gikonyo Muchiri**.
4. In these circumstances, I will allow the summons to rectify the confirmed grant. I will also allow the proposed distribution of the additional property. It's so ordered.

**DATED SIGNED AND DELIVERED AT MURANG'A THIS 5<sup>TH</sup> DAY OF DECEMBER 2014**

**H.P.G. WAWERU**

**JUDGE**