



In re JM alias JNL (A Person Suffering from Mental Disorder) (Family Miscellaneous Application E011 of 2025) [2025] KEHC 13303 (KLR) (23 September 2025) (Ruling)

Neutral citation: [2025] KEHC 13303 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUNGOMA
FAMILY MISCELLANEOUS APPLICATION E011 OF 2025
MS SHARIFF, J
SEPTEMBER 23, 2025**

IN THE MATTER OF JM ALIAS JNL (A PERSON SUFFERING FROM MENTAL DISORDER)

IN THE MATTER OF

BWM PETITIONER

RULING

1. The petitioner BWM has vide a petition dated 24.6.2025 petitioned this court under the provisions of section 26,27 and 28 (1) of the *Mental Health Act* CAP 248 Laws of Kenya for his appointment as the guardian and manager of the affairs of his mother one JM alias JNL (a person suffering from mental disorder).
2. The Petition is supported by an affidavit of the Petitioner sworn on 24.6.2025 and a further affidavit sworn on 8.7.2025. The gist of the petition is that the subject is presently suffering from dementia and is unable to manage her own affairs. A letter dated 2.9.2025 authored by Dr Kennedy Kebasa of Lifecare Hospitals Bungoma Branch indicates that the subject had suffered cardiac arrest and had been admitted at the facility on 27.8.2025. Further that she had declined neurologically and was unable to conduct any legal or financial obligations.
3. Pursuant to the directions of this court the Deputy Registrar High court traced the subject at Bungoma County Referral hospital where she had been transferred to and noted vide his report dated 19.9.2025 that her condition had improved tremendously was to be discharged from the Intensive Care unit to the general ward.
4. I have considered this petition and I am inclined to allow it. I therefore, pursuant to the provisions of Section 27(2) of the *Mental Health Act* appoint the petitioner BWM as the Manager of the affairs of JM alias JNL (a person suffering from mental disorder) for a period of 3 months from the date hereof.
5. The Deputy Registrar is hereby directed to publish the appointment of BWM as the Manager of the affairs of JM alias JNL forthwith in the Kenya Gazette and the Petitioner shall bear the costs of such publication.



6. The Petitioner shall bear the costs of this petition.

DATED AND DELIVERED AT BUNGOMA THIS 23RD DAY OF SEPTEMBER 2025

M.S. SHARIFF

JUDGE

