



**In re Estate of Morris Sika Alala (Deceased) (Succession Cause 146 of 2020)
[2025] KEHC 14488 (KLR) (Civ) (16 October 2025) (Ruling)**

Neutral citation: [2025] KEHC 14488 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

CIVIL

SUCCESSION CAUSE 146 OF 2020

HK CHEMITEI, J

OCTOBER 16, 2025

BETWEEN

TIMOTHY MORRIS SIKA ALALA APPLICANT

AND

JANE NERIMAH ALALA 1ST RESPONDENT

ANTHONY ALALA SHISERO 2ND RESPONDENT

RULING

1. This ruling relates to the application dated 22nd November, 2023 filed by the Applicant, Timothy Morris Sika Alala, seeking for Orders That:
 1. Spent.
 2. Pending the hearing inter partes of this application, this honourable court be pleased to issue an order to prevent the administrators, their advocates, agents, surveyors and any other person acting under their instructions from proceedings with sub division of Land Parcel No. Butsootso Shikoti/1817.
 3. The certificate of confirmation of grant issued to Jane Nerimah Alala and Anthony Alala Shisero on the 4th May be rectified so that Land Parcel No. Butsootso/Shikoti/1817 is allocated fully to Timothy Morris Alala and Stephen Wabomba Alala only.
 4. Costs be provided for in the cause.
2. The application is based on the grounds thereof and supported by affidavit sworn by Timothy Morris Alala on 22nd November, 2023.



3. The Respondent has filed a replying affidavit as well as grounds of opposition. The parties have as well filed submissions as directed by the court.
4. The Respondent however raised a preliminary point of law as hereunder:
 - a. Timothy Morris Alala lacks locus standi to file the summons for the rectification of grant as he has yet to obtain a grant of representation for the estate of his late father, the late Ronald Sika Alala.
 - b. The only entitlement that Timothy Morris Alala has would be as a son of the late Ronald Sika Alala who was the son of the deceased under Section 29 of the *Law of Succession Act*.
5. I find that the best place to begin this matter is on the question raised by the Respondent concerning the Applicant's locus standi in this matter as raised in the above preliminary objection.
6. The Applicant in his response argued that he had applied for the letters of administration of his father's estate "40 days ago" and was therefore in the process of obtaining the same.
7. The Applicant did not attach any evidence of such application nor any evidence to show that he had been granted such a grant.
8. In the absence of the same it goes without say that he was intermeddling with the estate of his late father Ronald Sika Alala. Whatever his father inherited from his father, now, the Applicant grandfather will only be dealt with either by the Applicant or any other party after obtaining the grant from the courts.
9. In his own admission the Applicant contented that he did not have such a grant.
10. In the premises, even if his application was merited, it becomes an academic exercise as the Applicant does not have locus as clearly raised in the objection.
11. Consequently, and without going into the merits or otherwise of the application the preliminary objection is hereby allowed and the application struck out with no order as to costs.

DATED SIGNED AND DELIVERED AT NAIROBI VIA VIDEO LINK THIS 16TH DAY OF OCTOBER 2025.

H K CHEMITEI

JUDGE

