

**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAKURU**

**SUCCESSION CAUSE NO. 236 OF 1994**

**IN THE MATTER OF THE ESTATE OF PETRO KIRIUKI  
WACHIRA (DECEASED)**

**JAMES KARIUKI KARANJA.....APPLICANT/INTERESTED PARTY**

**VERSUS**

**LAWRENCE KAGAI KARIUKI.....1<sup>ST</sup> PETITIONER**

**LUCY WANJIRU NJOROGE.....2<sup>ND</sup> PETITIONER**

**STEPHEN RAGUI KARIUKI.....3<sup>RD</sup> PETITIONER**

**LAWRENCE KARIUKI KARANJA.....BENEFICIARY**

**RULING**

1.This is the summons dated 17/6/2025. Its supported by the grounds on it's face plus the affidavit of Lawrence Kagai Kariuki the Executor of the Wills herein. I have perused the file, the orders issued by this court and find the record speaking for itself. This is an old matter which should have been dealt with to finalization long time ago. The prayers sought by the Applicant are well supported by Orders already issued herein and a report filed by the Surveyor (LKK3) following a Court Order dated 8/02/1013 issued by Justice (rtd) Anayara Emukule. A further order on the issue of survey was issued by Justice A. K. Ndung'u on 20/06/2016. I therefore find merit in the summons dated 17/6/2025 and allow prayers No. a, b & c.

2. For avoidance of doubt the orders are as follows:

- (a) The County director of Survey services Kisumu to rectify the names in respect of Land parcels No. KISUMU/MANYATTA A/4396, 4397, 4398 & 4399 to reflect the adjustments as per the report and finding dated 10/11/2017
- (b) Upon rectification as directed above, the county Land Registrar Kisumu to issue Titles in line with the new measurements in respect of Land parcels no KISUMU/MANYATTA A/4396, 4397, 4398 & 4399 in the names of the respective beneficiaries.
- (c) The Nakuru District Land Registrar to rectify the records of land parcels No. ELBURGON/ARIMI NDOSWA BLOCK 4/319 and ELBURGON/ARIMIN NDOSWA Block 4/320 by cancelling the Title Deeds in the names of Margaret Wanjiru in view of the revocation of the grant by Willian Ouko J (as he then was) on 24/02/2012. The titles are to revert into the names of Petro Kariuki Wachira the deceased herein. (see the orders issued on 30/4/2013.
- (d) Costs to be paid from the Estate.

**Delivered this 16<sup>th</sup> October, 2025 in open court.**

**H. I. ONG'UDI**  
**JUDGE**

**Present:**

Justine C/A

Mr. Mukira for Applicant