



**In re Estate of Peter Chege Gatune (Deceased) (Probate & Administration
E001 of 2025) [2025] KEHC 14281 (KLR) (Family) (14 October 2025) (Ruling)**

Neutral citation: [2025] KEHC 14281 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYANDARUA**

FAMILY

PROBATE & ADMINISTRATION E001 OF 2025

KW KIARIE, J

OCTOBER 14, 2025

IN THE MATTER OF THE ESTATE OF PETER CHEGE GATUNE (DECEASED)

BETWEEN

JOSEPH MAINA CHEGE 1ST APPLICANT

PETER MAINA KARANJA 2ND APPLICANT

AND

GLADYS WANGARI CHEGE RESPONDENT

RULING

1. The applicants herein have moved the court by way of chamber summons dated 25th day of March 2025 and are seeking the following orders:
 - a. The application be certified as urgent and the same be heard ex parte in the first instance. [Spent]
 - b. Pending the hearing and determination of this application inter partes the honourable court be pleased to issue a temporary injunction restraining the respondent either by herself, dependents, servants, and or agents and employees from disposing off, subdividing, charging, mortgaging, transferring, advertising for sale, alienating, cultivating, constructing on and or interfering in any other way whatsoever with all that parcel of land known as NYANDARUA/SABUGO/7979.
 - c. Pending the hearing and determination of the application appeal the honourable court be pleased to issue a temporary injunction restraining the respondent either by herself, dependents, servants, and or agents and employees from disposing off, subdividing, charging, mortgaging, transferring, advertising for sale, alienating, cultivating, constructing on and or



interfering in any other way whatsoever with all that parcel of land known as NYANDARUA/SABUGO/7979.

- d. The costs of this application be in the cause.
2. The application was premised on the following grounds:
 - a. Grant of a letter of Administration in this matter was issued to the respondents herein and thereon after confirmation.
 - b. The applicants herein who are bona fide beneficiaries of the deceased estate were excluded from benefiting from the deceased estate despite the fact that they are sons of the deceased.
 - c. The applicants thereafter filed an application dated 21st February, 2025, [sic] which application was dismissed by the honourable trial court, instigating the filing of the application dated 2nd May, 2024.
 - d. Prior to the hearing and determination of the application dated 2nd May, 2024, the applicants herein filed an application in Nyandarua HCCMISC No. E012 of 2024 seeking to transfer the cause to Nyandarua High and subsequently the said application was allowed on 6th November, 2024.
 - e. The efforts to have the trial court abide by the orders issued by the High Court judge were futile, and eventually the said trial court pronounced itself vide a ruling delivered on 7th January, 2025, dismissing the application dated 2nd May, 2024.
 - f. The respondent has not transferred the suit parcel of land in her favour and has commenced subdivision of the same with the aim of disinheriting the applicants of their rightful share.
 - g. The applicants are apprehensive that the respondent is in the process of disposing of the suit land to defeat the claim herein through unorthodox means.
 - h. The property in dispute in the suit is in danger of being wasted, damaged, and /or alienated.
 - i. The estate of the deceased herein will stand wasted if the application herein is not granted.
 - j. The issue of distribution is now at a standstill, and the same ought to be dispensed with urgently.
 3. The respondent was served with the application on 5 May 2025, as indicated in the affidavit of service dated the same day. She did not respond. On 12 August 2025, she was served with the applicant's submissions regarding the application and an affidavit of the same date. She likewise did not file her response.
 4. I am satisfied that she was aware of the application.
 5. The application is merited and the same is allowed. The application was not contested and therefore, I make no orders to costs.

DELIVERED AND SIGNED AT NYANDARUA, THIS 14TH DAY OF OCTOBER 2025

KIARIE WAWERU KIARIE

JUDGE

