



In re Estate of Gladys Wairimu Kariuki (Deceased) (Succession Cause E023 of 2025) [2025] KEHC 16669 (KLR) (12 November 2025) (Ruling)

Neutral citation: [2025] KEHC 16669 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NYAHURURU
SUCCESSION CAUSE E023 OF 2025
LN MUTENDE, J
NOVEMBER 12, 2025**

IN THE MATTER OF THE ESTATE OF GLADYS WAIRIMU KARIUKI (DECEASED)

IN THE MATTER OF

**JAMES WAIGWA KARIUKI 1ST PETITIONER
JAYNE WANGUI NJUGUNA 2ND PETITIONER
RICHARD CLIFF KARIUKI 3RD PETITIONER**

RULING

1. The Petitioners, presented to this court a petition seeking grant of letters of Administration Ad colligenda Bona to issue for purposes of undertaking and performing the deceased's obligations in her capacity as a Landlord in the property known as Land Reference Number: 6585/III/41(IR Number 31769) situate in Nyahururu Town, Laikipia County until further representation is made by the Honourable Court.
2. The Petitioners seek to perform contractual obligations in respect of the lease Agreement made between the Deceased and the Kenya Revenue Authority; to access rental proceeds held in Account Number (Particulars withheld) in the Deceased account held at Equity(Kenya)Limited at Nyahururu; and, to enable them amend the lease, to collect and receive the rent from the lessee and to open an escrow account in their joint names at the aforesaid Equity Bank (Kenya) Limited at Nyahururu Branch in connection with the lease.
3. The petition is supported by an affidavit deposed by the Applicants who aver that the deceased, Gladys Wairimu Kariuki died on the 1st June, 2025 at Nairobi and is survived by five (5) children who are all adults namely;
 - i. Robert Mwangi Kariuki
 - ii. Patrick Mathenge Kariuki



- iii. James Waigwa Kariuki
 - iv. Jayne Wangui Njuguna
 - v. Richard Cliff Kariuki
4. Consents to making of the grant Ad-colligenda bona and issuance to the Applicants have been filed by Patrick Mthenge Kariuki and Robert Waigwa Kariuki.
 5. I have duly considered the application. Letters of administration Ad-colligenda bona are issued in event of some urgency to collect and preserve the estate of the deceased where delay in obtaining a full grant of representation is envisaged. Section 67 of the *Law of Succession Act* provides that;
 - (1) No grant of representation, other than a limited grant for collection and preservation of assets, shall be made until there has been published notice of the application for such grant, inviting objections thereto to be made known to the court within a specified period of not less than thirty days from the date of publication, and the period so specified has expired.
 - (2) A notice under subsection (1) shall be exhibited conspicuously in the court-house, and also published in such other manner as the court directs.
 6. The special circumstances requiring grant of orders sought alluded to is the need to protect and preserve the estate of the deceased by continuing to perform the deceased's obligations including collecting and receiving rental payments from Kenya Revenue Authority which will be held at a designated account for the benefit of the estate.
 7. In the premises I find the application having merit. Therefore, I grant the Petitioners letters of Administration intestate Ad-colligenda bona limited to: Performing obligations in respect of contractual obligations in respect of the lease Agreement made between the Deceased and the Kenya Revenue Authority; to access rental proceeds held in Account Number (Particulars withheld) in the Deceased account held at Equity (Kenya)Limited at Nyahururu; and, to enable them amend the lease, to collect and receive the rent from the lessee and to open an escrow account in their joint names at the aforesaid Equity Bank (Kenya) Limited at Nyahururu Branch in connection with the lease.
 8. The Administrators are not authorized to distribute the estate until a full grant of representation to the estate of the deceased is issued.
 9. This grant that is limited to the special circumstances afore-stated shall terminate upon a full grant being issued.
 10. It is so ordered.

DATED, SIGNED AND DELIVERED VIRTUALLY THIS 12TH DAY OF NOVEMBER, 2025.

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L.N. MUTENDE

JUDGE

