



**In re PNN (Miscellaneous Application E155 of 2023)
[2026] KEHC 527 (KLR) (Family) (23 January 2026) (Judgment)**

Neutral citation: [2026] KEHC 527 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
FAMILY
MISCELLANEOUS APPLICATION E155 OF 2023
PM NYAUNDI, J
JANUARY 23, 2026
IN THE MATTER OF SECTIONS 26 (1) (A) & (B), 28 (1) &
(2) OF THE MENTAL HEALTH ACT CAP 248 LAWS OF
KENYA
AND
IN THE MATTER OF P N N
(SUBJECT) A PERSON SUFFERING FROM MENTAL
DISORDER
AND
IN THE MATTER OF AN APPLICATION FOR LEGAL
GUARDIANSHIP
IN THE MATTER OF
ENN PETITIONER**

JUDGMENT

BACKGROUND

1. On 27th October 2023 (ENN) was appointed guardian and manager of the estate of PNN, the subject herein. This appointment was revoked on the application of the current Petitioner after it transpired that the previous manager had proceeded to dispose of an asset without the authority of the Court and failed to account for the proceeds.



2. It is not in dispute that the Subject is need of protection being a person suffering from mental illness. The Petition dated 7th March 2025 is therefore allowed with the following orders. It is also not in contest that the Applicant, H N N herein is the son of subject.

- i. N N (the Subject) is hereby adjudged to be suffering from mental disorder pursuant to Section 26 of the *Mental Health Act*, Cap 248 Laws of Kenya.
- ii. H N N is hereby appointed the legal guardian to P N N.
- iii. H N N is hereby appointed manager of the estate of P N N under Section 28 of *Mental Health Act* to manage his estate including any such description of moveable or immovable property, money, debts and legacies, power to execute, sign all deeds and instruments relating to or evidencing the title or right to any property or giving a right to receive any money or goods.
- iv. Pursuant to this appointment the Petitioner shall deliver to Court and the Public Trustee, within 6 months, an inventory of the property belonging P N N.
- v. In accordance with Section 27(4) of the *Mental Health Act*, 2022 the Petitioner shall cause within 30 days the publication of notice in the Gazette, informing the public of the appointment of H N N as the manager of the estate of the Subject and revocation of the appointment of E N N .
- vi. As Manager of the Estate of P N N the Petitioner may dispose of the property only with the sanction of the court.
- vii. The matter will be mentioned before the Deputy Registrar on 11th March 2026 to confirm gazettelement.

No order as to costs

It is so ordered

SIGNED DATED AND DELIVERED IN VIRTUAL COURT THIS 23rd DAY OF JANUARY 2026.

P M NYAUNDI

HIGH COURT JUDGE

In the Presence of

Fardosa Court Assistant.

No appearance for parties

