

**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT MILIMANI**  
**FAMILY DIVISION**  
**SUCCESSION CAUSE NO. E.235 OF 2023**

**IN THE MATTER OF THE ESTATE OF PETER KIAMBUTHE**  
**WAMWIRI alias PETER KIAMBUTHI (DECEASED)**

**JOHN KAHORA alias ALEX NGUGI KIAMBUTHE .....**  
**APPLICANT**

**RULING**

1. The summons for determination is dated 26<sup>th</sup> August 2025. The applicant seeks review and variation of the orders issued on 18<sup>th</sup> May 2023, granting letters of administration intestate and the orders of 12<sup>th</sup> November 2024 confirming the grant. The principal prayer is that the name of the administrator and beneficiary, indicated in the grant and certificate of confirmation as *John Kahora alias Alex Ngugi Kiambuthe*, be amended to read *John Kahora*, being the name appearing in his National Identity Card.
2. The application is premised on the ground that the inclusion of the *alias* in the grant and the certificate of confirmation does not correspond with the name appearing on his National Identity card, a situation that may impede the administration and transmission of the estate.

3. The power of the court to rectify errors in grants is provided for under section 74 of the Law of Succession Act, which states:

***Errors in names and descriptions, or in setting forth the time and place of the deceased's death, or the purpose in a limited grant, may be rectified by the court.***

4. The purpose of rectification is to enable the grant to reflect the true and correct particulars of the persons concerned and to facilitate the due administration of the estate. The court is satisfied that an error or misdescription in the name of an administrator or beneficiary, where sufficiently demonstrated, falls within the ambit of the provision.
5. From the material placed before the court, the applicant has shown that his National Identity Card bears the name *John Kahora*. No evidence has been tendered to suggest that the proposed amendment would alter the substance of the distribution of the estate or prejudice any of the beneficiaries. The amendment sought is therefore merely for purposes of proper description and alignment with official records.
6. In the circumstances, the application dated 26<sup>th</sup> August 2025 is merited. The Certificate of Confirmation of Grant dated 12<sup>th</sup> November 2024 be rectified accordingly.

It is so ordered.

**DATED and DELIVERED at NAIROBI this 17<sup>th</sup> day of February  
2026**

.....

**E.K. OGOLA  
JUDGE**

***In the presence of:***

Gichana holding brief Mbeji..... for the  
Administrators  
Gisiele Muthoni .....  
Court Assistant

ORIGINAL