



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NYANDARUA

MISCELLANEOUS CIVIL APPLICATION NO. E023 OF 2025

**IN THE MATTER OF THE DECLARATION OF THE DEATH OF BENJAMIN
KAIRU GACHAU.**

MARY MURINGI KAIRU..... APPLICANT

RULING

1. Mary Muringi Kairu, the applicant and wife of Benjamin Kairu Gachau, filed the Notice of Motion on November 6th, 2025. She is requesting a presumption of her husband's death, claiming she has not had any contact with him for 17 years.
2. Whenever a party requests the court to consider attached documents in the supporting affidavit, those documents must be clearly legible. Given the sensitive nature of the matter and the specific orders sought, I find the assistant chief's letter unclear.
3. I am therefore unable to decide either way.

Delivered and signed at Nyandarua, this 11th day of March 2026

KIARIE WAWERU KIARIE

JUDGE.