



**In re Estate of the Late Kinuthia - Deceased (Succession Cause
E56 of 2022) [2025] KEMC 350 (KLR) (6 November 2025) (Ruling)**

Neutral citation: [2025] KEMC 350 (KLR)

**REPUBLIC OF KENYA
IN THE NAKURU LAW COURTS
SUCCESSION CAUSE E56 OF 2022
PA NDEGE, SPM
NOVEMBER 6, 2025**

IN THE MATTER OF THE ESTATE OF THE LATE NJUGUNA KINUTHIA – (DECEASED)

RULING

1. Before me is a Summons for Rectification of the grant herein, in which the applicants, the administrators herein, are seeking for the following orders: -
 - i. That the Honorable Court be pleased to rectify the Grant of Letters of Administration and the Certificate of Confirmation of Grant of Letters of Administration and the Certificate of Confirmation of Grant to reflect the correct names of the 2nd administrator to read Willy Francis Njogu as it appears on his National Identity Card – No. 109XXX.
 - ii. That the cost of this application be in the cause.
2. The application is premised on the Affidavit of Riphus Waigongo Njuguna and Willy Francis Njogu, the applicants, sworn at Nakuru on 03/12/2024. I have considered this summons for rectification of Grant and the Affidavits filed in support thereof. Rectification of Grants is provided for by section 74 of the [Law of Succession Act](#), Cap 160, Laws of Kenya which provides as follows: -

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, and the grant of representation, whether before or after confirmation, may be altered and amended accordingly.
3. Rule 43(1) of the [Probate and Administration Rules](#) states as follows: -

43(1) Where the holder of a grant seeks pursuant to the provisions of section 74 of the Act rectification of an error in the grant as to the names or descriptions of any person or thing or as to the time or place of the death of the deceased or, in the case of a limited grant, the purpose for which the grant was made, he shall apply by summons in Form 110 for such rectification through the registry and in the cause in which the grant was issued.



4. Rectification is allowed in order to correct a mis-description of a property or to correct a name which has not been fully or properly described in the Grant. I find that the rectification to correct the name of the 2nd administrator herein i.e. to align the name with that in the National ID card as prayed for herein fits this purpose and I thus allow the application as prayed with no order as to costs.

DATED IN NAKURU THIS 06TH DAY OF NOVEMBER.,2025.

.....

ALOYCE-PETER-NDEGE

SENIOR PRINCIPAL MAGISTRATE

In the presence of;

Applicant's Counsel: N/A

Applicants: Both present

