



In re Estate of Isaiah M'riba Kondo (Deceased) (Succession Cause 478 of 2015) [2026] KEHC 5264 (KLR) (27 April 2026) (Ruling)

Neutral citation: [2026] KEHC 5264 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT CHUKA
SUCCESSION CAUSE 478 OF 2015**

**RL KORIR, J
APRIL 27, 2026**

BETWEEN

KARIMI ISAIAH IRERI PETITIONER

AND

STANISLASIA NJERI ANEST APPLICANT

RULING

1. This ruling is in respect to the summons for directions dated 23rd September 2025 filed by one Stanislasia Njeri Anest, one of the beneficiaries of the deceased's estate.
2. The estate of the late Isaiah M'Riba Kondo was distributed by this court (Mabeya J.) vide a confirmed grant issued on 23rd February 2016.
3. To date no account on the implementation of the grant has been filed by the Administrator, Kirimi Isaiah Ileri.
4. The Applicant's case as contained in the summons and her sworn affidavit dated 23rd September 2025 is that she is a daughter of the deceased and together with her brothers Festus Mbae Chabari and Gitonga Isaiah Ileri benefited from LR Muthambi/Gatua/2264. That upon confirmation of grant, the Administrator Kirimi Isaiah Ileri facilitated the transmission of the respective shares of her co-beneficiaries and left her out. That he had neglected and refused to execute the necessary transfer documents to facilitate completion of the distribution.
5. The Applicant further stated that the grant had given her a share to hold in trust for her minor children who were now adults and could hold respective shares absolutely.
6. The Applicant urged that she had sought the intervention of the chief but the Administrator Kirimi Isaiah Ileri refused to honour the chief's summons. She urged that the Administrator be compelled



by the court to execute the necessary documents and if he refused, then the Deputy Registrar of the court be authorized to execute the same.

7. The summons was not opposed by the Respondent Administrator. On record is an affidavit of service sworn by process server Hassan Adano Sharamo who deposed that he had on 7th January, 2026 served the Respondent at his home in Ituntu village and that the said Kirimi Isaiah Ileri acknowledged receipt by signing on the court documents.
8. I have looked at the affidavit of service. On the face of the Certificate of Urgency is an acknowledgement of receipt dated 7th January 2026. I am satisfied that service was effected upon the Administrator.
9. The Respondent did not attend court on 9th February 2026 . The court being satisfied that he had been served allowed the Applicant's Counsel to urge the Application. Counsel submitted that they wished the court to summon the Administrator to come and explain why he had neglected to distribute the estate.
10. I am satisfied that the prayer for summons in the first instance is merited. These then are my final orders:-
 - i. The Administrator Karimi Isaiah Ileri be and is hereby summoned to this court to come and explain the status of the implementation of the grant issued to him and confirmed on 23rd February, 2016.
 - ii. In consonance with the duties vested in him as administrator, Karimi Isaiah Ileri is required to file a final account of the implementation of the grant within 14 days.
 - iii. The prayer for execution of transmission documents by the Deputy Registrar of the court is stayed pending further directions.
 - iv. Mention on 12th May, 2026. The Administrator and beneficiaries to attend.

Orders accordingly.

RULING DELIVERED, DATED AND SIGNED AT CHUKA THIS 27TH DAY OF APRIL 2026.

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R. LAGAT-KORIR

JUDGE

Ruling delivered in the presence of Mr. Kinyanjui holding brief for Mr. Mutegi for the Applicant and in the absence of the Petitioner. Muriuki (Court Assistant).

