



In re SOD (A person Suffering from a Mental Disorder) (Civil Miscellaneous E002 of 2024) [2025] KEHC 6778 (KLR) (30 January 2025) (Ruling)

Neutral citation: [2025] KEHC 6778 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MIGORI
CIVIL MISCELLANEOUS E002 OF 2024**

**A. ONG'INJO, J
JANUARY 30, 2025**

IN THE MATTER OF

**JD 1ST PETITIONER
POD 2ND PETITIONER**

RULING

1. This court has considered the Application dated 7.3.2024 seeking that the subject herein SOD be adjudged as not being fit to fend for himself due to his mental disorder within the meaning of Section 2 of the Mental Health Act of Kenya.
2. The Applicants sought that they be appointed as Legal Guardians of the affairs of the subject herein with power to sign and file Court documents in respect of Migori ELC No 43 of 2019 and defend the suit to its conclusion.
3. This court has considered the history given in the Application as well as medical history. The Court has also confirmed from the subject that he had been in a rehab had slightly recovered. However, in consideration of the latest Medical report by Dr. 1 Kanyanya Consultant Psychiatrist at Kenyatta National Hospital dated 28th November, 2024 the subject mental status this court finds that eth subject requires to be protected due to what has been described in the Report as suffering from Substance Induced Neuro – Cognitive Disorder.
4. In the circumstances this court appoints the Applicants as Legal Guardian of the subject herein with powers and responsibility to oversee the administration of the subjects affairs including proceedings in Migori ELC No 43 of 2019 and in any other matter affecting the subject and in which he is required to participate whether physical, social and financial. The subjects’ finances particularly his pension are however to be used in sustaining him and discharging his responsibilities.

Mention on 4.2.2025 to confirm the subject status.

DELIVERED, DATED AND SIGNED AT MIGORI THIS 30TH DAY OF JANUARY, 2025.



A. ONGINJO
JUDGE

