



REPUBLIC OF KENYA



KENYA LAW
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**Kuria v Kuria (Miscellaneous Case E018 of 2025)
[2025] KEHC 6160 (KLR) (29 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 6160 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIAMBU
MISCELLANEOUS CASE E018 OF 2025
DO CHEPKWONY, J
APRIL 29, 2025**

BETWEEN

ALEX MUNIU KURIA APPLICANT

AND

HANNAH WANGARI KURIA RESPONDENT

RULING

1. This matter is scheduled for interparties hearing of a Notice of Motion application dated 3rd April, 2025 in which the Applicant is seeking for orders that:-
 - a. Spent.
 - b. This Honourable Court do order that Succession Cause No 008 of 2020 at Kiambu Chief Magistrate's Court be transferred to the High Court of Kenya at Kiambu.
 - c. The costs of the application be in the cause.
2. The application is premised on the grounds set out on its face and Supporting Affidavit sworn by Alex Muniu Kuria, the Applicant herein on even date. The gist of it being that Hon. Gethi Kibiru, the Chief Magistrate at Kiambu Chief Magistrate's Court delivered a ruling on 11th March, 2025 in which the Confirmed Grant in the matter was revoked due to the various irregularities that were noted in the Succession Cause No 008 of 2020. The Learned Magistrate also ordered that the beneficiaries of the Estate of the Deceased file a Consent within thirty (30) days of the ruling for the distribution of the Estate of the Deceased afresh, failure to which the court would decide on the matter upon hearing the parties. It has also been pointed out that the 2nd and 3rd Respondents being grand-children of the Deceased had commissioned for a valuation of the various properties to be Kenya Shillings One Hundred and Seventy-Two Million (Kshs 172,000,000/=) which is about the pecuniary jurisdiction of the Magistrate's Court.



3. Having listened to both counsel for the Applicant and 1st Respondent, this Court finds that the application is not opposed.
4. In view of this, the Notice of Motion application is allowed as presented and the following orders issue:-
 - a. The Succession Cause No 008 of 2020 at Kiambu Chief Magistrate's Court be and is hereby transferred to the High Court of Kenya at Kiambu for hearing and determination.
 - b. Costs of the application to be in the cause.

It is so ordered.

RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 29TH DAY OF APRIL . , 2025.

D. O. CHEPKWONY

JUDGE

In the presence of:

M/S Kaberia counsel for Applicant

Mr. Mburu counsel for 1st Respondent

Court Assistant - Martin

