



In re Estate of M'ikiugu Mugambi M'muga (Deceased) (Succession Cause 14 of 1994) [2024] KEHC 342 (KLR) (25 January 2024) (Ruling)

Neutral citation: [2024] KEHC 342 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MERU
SUCCESSION CAUSE 14 OF 1994**

TW CHERERE, J

JANUARY 25, 2024

IN THE MATTER OF THE M'IKIUGU MUGAMBI M'MUGA

AND

IN THE MATTER OF REDISTRIBUTION OF THE SHARE FOR EUNICE NKATHA IGWETA (DECEASED BENEFICIARY) AND GEOFFREY MUTHAMIA IN ISIOLO PLOT NO. 82

IN THE MATTER OF

EDWARD KANYAMU M'MUGAMBI APPLICANT

RULING

1. By Certificate of Confirmation of Grant dated 20th December, 2005, one of Deceased's assets namely Isiolo plot no. 82 was distributed in equal shares to Eunice Nkatha Igweta and Geoffrey Muthamia.
2. By summons dated 16th November, 2023, Applicant seeks to distribute the said asset to one Tom Joseph Kinoti .
3. The said Tom Joseph Kinoti to whom the Applicant proposes to distribute to said asset to in not a beneficiary of deceased's estate and neither has his nexus to the estate been explained.
4. It is worthy noting that Eunice Nkatha Igweta is now deceased and an invitation to distribute her entitlement in this cause is therefore untenable and it is declined.
5. In the end, it is hereby ordered as follows:
 - 1) Now that Eunice Nkatha Igweta is deceased, the Certificate of Confirmation of Grant dated 20th December, 2005 shall be rectified to the extent that the ½ share for Eunice Nkatha Igweta in Isiolo plot no. 82 shall vest in her estate
 - 2) The prayer to transfer Geoffrey Muthamia's in Isiolo plot no. 82 to Tom Joseph Kinoti is not a succession matter and it is declined



- 3) This cause shall be mentioned on 29th April, 2024 to confirm compliance with these orders and for further orders and/or directions

DATED AT MERU 25TH/ DAY OF JANUARY 2024.

WAMAE. T. W. CHERERE

JUDGE

Appearances

Court Assistants - Kinoti/Munene

For Applicant - N/A for Mbaabu M'Inoti & Co. Advocates

