



**In re MWM alias MS (Subject) (Miscellaneous Civil Application
E231 of 2023) [2024] KEHC 369 (KLR) (Civ) (25 January 2024) (Judgment)**

Neutral citation: [2024] KEHC 369 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)**

CIVIL

MISCELLANEOUS CIVIL APPLICATION E231 OF 2023

HK CHEMITEI, J

JANUARY 25, 2024

IN THE MATTER OF

SNK APPLICANT

JUDGMENT

1. In his petition dated 24th October 2023 the applicant who is a nephew to the subject prays for the following orders;
 - (a) That the subject herein MWM alias MS be adjudged a person suffering from mental infirmity in terms of *Mental Health Act* cap 248 of the Laws of Kenya’.
 - (b) That this court be pleased to order that the custody, care and control of the subject herein MWM alias M Shorthouse be granted to the applicant.
 - (c) That the petitioner/applicant herein SNK be the manager of the estate of MWM alias MS general powers to deal with the estate.
 - (d) Costs be in the cause.
2. The application is supported by the sworn affidavit of the applicant dated the same date and the grounds thereof.
3. The court has perused the annexures to the affidavit and in particular the information from Worthing Medical Group and Association of Independent Visitors (UK) dated 26th September 2023 reports.
4. There was also a notarised report by one PML dated 3rd November 2023 in support of the application.
5. The court was also able to see online the subject on 1th November 2023 who was bedridden.
6. Taking the totality of the affidavit evidence on record, this court finds the application meritorious and the same is hereby allowed as prayed.



7. Costs shall be in the cause.

DATED SIGNED AND DELIVERED AT NAIROBI VIA VIDEO LINK THIS 25TH JANUARY 2024.

H K CHEMITEI.

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JUDGE

I certify that this is a true copy of the original

Signed

DEPUTY REGISTRAR

