



REPUBLIC OF KENYA



**KENYA LAW**  
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**In re Estate of Mutiga M'Ithiringi (Deceased) (Succession Cause  
141 of 2005) [2024] KEHC 5564 (KLR) (25 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 5564 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT MERU  
SUCCESSION CAUSE 141 OF 2005  
TW CHERERE, J  
APRIL 25, 2024**

**BETWEEN**

**JULIA MAINDA MUTIGA (DECEASED) ..... 1<sup>ST</sup> ADMINISTRATOR**

**STANLEY KIURU (DECEASED) ..... 2<sup>ND</sup> ADMINISTRATOR**

**AND**

**JANET KARIMI M'MBURA ..... APPLICANT**

**RULING**

1. Deceased's estate comprising of Njia/Burieruri/1632 and Njia/Cia-mwendwa/844 was distributed by Certificate of Confirmation of Grant issued on 07<sup>th</sup> December, 2011.

**Summons**

1. By summons dated 11<sup>th</sup> December, 2023, Janet Karimi M'Mbura (Applicant) seeks the following orders: That-
  1. **She be appointed as the sole administrator of Deceased's estate**
  2. Certificate of Confirmation of Grant issued on 07<sup>th</sup> December, 2011 be rectified and amended the estate be distributed as follows:
    1. The share for Julia Mainda Mutiga equally to her children Janet Karimi M'Mbura, Mukomwa Nathan Kungutia and Sabina Atii Bernard
    2. The share for Stanley Kiuru equally to his wife Grace Mwothiru and son Patrick Mugambi Kiuru



### **Analysis and Determination**

2. Certificates of search for Njia/Burieruri/1632 and Njia/CiA-mwendwa/844 reveal that deceased's estate has to date not been distributed.
3. Whereas a certificate of death for Julia Mainda Mutiga has been availed, no evidence has been tendered to demonstrate that Stanley Kiuru is equally deceased.
4. It is therefore hereby ordered:
  1. Janet Karimi M'Mbura is appointed as administrator in place of Julia Mainda Mutiga
  2. Letters of Administration shall issue in the name of Julia Mainda Mutiga and Stanley Kiuru
  3. Certificate of Confirmation of Grant issued on 07<sup>th</sup> December, 2011 be rectified and amended and the share for Julia Mainda Mutiga be distributed equally to her children Janet Karimi M'Mbura, Mukomwa Nathan Kungutia and Sabina Atii Bernard
3. Mention on 19<sup>th</sup> September, 2024 to confirm compliance with these orders and for any such further orders

DELIVERED IN MERU 25<sup>th</sup> Day of April 2024

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**WAMAE. T. W. CHERERE**

**JUDGE**

**Appearances**

**Court Assistants - Kinoti/Munene**

**For Applicant -Ms. Kimathi for Carlpeters Mbaabu & Co. Advocates**

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