



REPUBLIC OF KENYA



In re Estate of James Otwala Ayieko (Deceased) (Miscellaneous Succession Cause E093 of 2024) [2024] KEHC 7787 (KLR) (28 June 2024) (Ruling)

Neutral citation: [2024] KEHC 7787 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS SUCCESSION CAUSE E093 OF 2024**

RE ABURILI, J

JUNE 28, 2024

**IN THE MATTER OF THE ESTATE OF JAMES OTWALA AYIEKO (DECEASED)
AND
IN THE MATTER OF AN APPLICATION BY MICHAEL OTWALA AYIEKO [PETITIONER]
(FROM ORIGINAL KISUMU CHIEF MAGISTRATE'S
SUCCESSION CAUSE NO. E137 OF 2024)**

RULING

1. The deceased Kames Otwala Ayieko, according to the documents filed, including letter dated 6th June, 2023 by the Chief, Kapuonja Location, was a resident of East Kapuonja which is within the jurisdiction of Maseno law Courts. Similarly, the estate property as listed as per the search certificate annexed to the petition for grant is Kisumu/Kapuonja/2417, which lies within the jurisdiction of Maseno Law Courts.
2. I hereby transfer Kisumu CM Succession Cause No. E137 of 2024 to Maseno SPM'S Court in whose jurisdiction the deceased was domiciled.
3. The original Kisumu CM Succession No. E137 of 2024 to be transmitted to Maseno SPM's court together with this ruling and order.
4. Upon receipt of the file and order, SPM Maseno Law Courts to notify the parties using the addresses given to move the court and prosecute the succession cause and to file into court all the necessary consents and evidence of payment of court filing fees before any grant can issue.
5. This file is closed.
6. I so order.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 28TH DAY OF JUNE 2024

R. E. ABURILI



JUDGE

