

THE REPUBLIC OF UGANDA

IN THE HIGH COURT OF UGANDA AT FORT PORTAL

MISCELLANEOUS CAUSE NO. 003 OF 2018

**IN THE MATTER OF AMANYIRE MARK, A PERSON SUSPECTED TO BE OF
UNSOUND MIND**

AND

**IN THE MATTER OF AN INQUIRY INTO THE SUSPECTED UNSOUND MIND OF
AMANYIRE MARK UNDER SECTION 2 OF THE MENTAL TREATMENT ACT**

BEFORE: HIS LORDSHIP HON. MR. WILSON MASALU MUSENE

Ruling

This is an application by Chamber Summons for orders that Amanyire Mark be adjudged to being a person of unsound mind.

The application is supported by the affidavit sworn by Katuramu John and the grounds briefly are as follows;

1. That Amanyire Mark is suspected to being a person of unsound mind.
2. That Amanyire Mark has never been adjudged to being a person of unsound.
3. That Amanyire Mark has been under the care of the psychiatric department of Fort Portal Regional Referral Hospital since April 2017 to date undergoing care for severe depression.
4. That Amanyire Mark was the sole bread winner of the family since he was employed as a supervisor at Mcleod Russel Uganda Ltd (Mwenge Tea Estate) which was remitting social security savings on his account that I would like to access to provide for the family and obtain further medical care for him.
5. That I Katuramu John being his biological brother intend to apply to be appointed manager of the estate of Amanyire Mark upon him being adjudged to be a person of unsound mind.

6. It is in the interest of justice that Amanyire Mark is adjudged as being of unsound mind.

Counsel for the Applicant M/s Legal Aid Project of ULS submitted that the application is mainly based on Section 2 (1) of the Mental Treatment Act, Cap. 279 and Amanyire is suspected to be of unsound mind and he is being handled by a Psychiatric Clinical Officer. That the said Amanyire Mark suffers from severe depression which started in early April 2017. That he has since been unstable mentally and therefore needs to be placed under care and treatment.

I have carefully studied and considered the submissions of the Applicant in this matter. I am satisfied that this is a fit and proper case where Amanyire Mark should be subjected to proper care and treatment as a person of unsound mind. Thereafter, the medical officer should forward a report to this Court.

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WILSON MASALU MUSENE

JUDGE

4/4/2019