



**Mwani & another v Land Registrar Kajiado North (Ngong) & another (Miscellaneous Judicial Review E012 of 2022) [2023] KEELC 18057 (KLR) (15 June 2023) (Ruling)**

Neutral citation: [2023] KEELC 18057 (KLR)

**REPUBLIC OF KENYA**  
**IN THE ENVIRONMENT AND LAND COURT AT KAJIADO**  
**MISCELLANEOUS JUDICIAL REVIEW E012 OF 2022**  
**LC KOMINGOI, J**  
**JUNE 15, 2023**  
**IN THE MATTER OF:AN APPLICATION FOR LEAVE TO COMMENCE**  
**JUDICIAL REVIEW PROCEEDINGS FOR AN**  
**ORDER OF MANDAMUS**  
**AND**  
**IN THE MATTER OF:BREACH OF SECTION 4 (1), (B) & (C) OF THE**  
**FAIR ADMINISTRATIVE ACTION ACT NO. 5**  
**OF 2012**  
**AND**  
**IN THE MATTER OF:BREACH OF ARTICLE 47 OF THE**  
**CONSTITUTION OF KENYA 2010**  
**AND**  
**IN THE MATTER OF:LAND PARCEL NO.NGONG/NGONG/94034**  
**AND**  
**IN THE MATTER OF:LAND REGISTRATION ACT NO.3 OF 2021**  
**LAWS OF KENYA**  
**AND**  
**IN THE MATTER OF:SECTION 8 AND 9 OF THE LAW REFORMS**  
**ACT CAP 26 LAWS OF KENYA**

**BETWEEN**

**ODILLIE MUTAKA MWANI ..... 1<sup>ST</sup> EXPARTE APPLICANT**  
**LISA MARIA MUHANDICHI MAYENDE ..... 2<sup>ND</sup> EXPARTE APPLICANT**



**AND**

**LAND REGISTRAR KAJIADO NORTH (NGONG) ..... 1<sup>ST</sup> RESPONDENT**  
**ATTORNEY GENERAL ..... 2<sup>ND</sup> RESPONDENT**

**RULING**

1. I have considered the Chamber Summons dated 25<sup>th</sup> October 2022, the grounds and the verifying Affidavit of Lisa Maria Muhandichi Mayende, I have also considered the written submissions dated 13<sup>th</sup> February 2023 and the authorities cited.
2. I hereby give the following directions;
  - i. That leave is hereby granted in the circumstances.
  - ii. That the Exparte Applicants are hereby directed to file and serve a substantive motion within twenty one (21) days from the date hereof.
  - iii. That costs be in the cause.
  - iv. That the matter be mentioned for directions on 12/7/2023.

**DATED SIGNED AND DELIVERED VIRTUALLY AT KAJIADO THIS 15<sup>TH</sup> DAY OF JUNE, 2023.**

**L. KOMINGOI**

**JUDGE**

**In the presence of:**

Ms. Kiendi for the Exparte Applicants.

N/A for the Respondents.

Court Assistant – Mutisya.

