



**Karithi & 74 others v District Surveyor Isiolo & 5 others (Constitutional Petition 008 of 2021) [2023] KEELC 18864 (KLR) (17 July 2023) (Ruling)**

Neutral citation: [2023] KEELC 18864 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT ISIOLO  
CONSTITUTIONAL PETITION 008 OF 2021**

**PM NJOROGE, J  
JULY 17, 2023**

**BETWEEN**

**GEORGE KARITHI & 74 OTHERS ..... PETITIONER**

**AND**

**DISTRICT SURVEYOR ISIOLO & 5 OTHERS ..... RESPONDENT**

**RULING**

1. This application is dated 8<sup>th</sup> of June, 2023 and seeks the following orders;
  - a. That leave be granted to the Intended 92 Petitioners in the attached list to be joined in the Petition dated 12<sup>th</sup> July, 2011 and filed on the same day and amended on 18<sup>th</sup> March, 2014 and filed on the same day.
  - b. That the Intended 92 Petitioners be granted leave to make written and oral submissions at the hearing of the Petition herein.
  - c. That the costs of this application be in the cause.
2. The application is supported by the 19 grounds on its face and also by the affidavit of George Karithi who swore on behalf of all the Petitioners.
3. When the matter came up in court on 17/7/2023, the application had not been opposed by the respondents. I find that the application does not unduly disadvantage the respondents.
4. In the circumstances, the following orders are issued;
  - a. This application is allowed.
  - b. Costs shall be in the cause.



**DELIVERED IN OPEN COURT AT ISIOLO THIS 17<sup>TH</sup> DAY OF JULY, 2023 IN THE PRESENCE OF;**

Court Assistant: Balozi/Rahma

Miss Maina for the Intended 92 Petitioners.

Caleb Mwiti holding brief for Carl Peters Mbaabu for over 500 Petitioners.

Other parties/advocates absent.

**HON. JUSTICE P.M NJOROGE**

**JUDGE**

