



**Mbaabu v Cabinet Secretary incharge of Lands & 5 others (Environment and Land
Judicial Review Case E010 of 2024) [2025] KEELC 1381 (KLR) (17 March 2025) (Ruling)**

Neutral citation: [2025] KEELC 1381 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT MERU
ENVIRONMENT AND LAND JUDICIAL REVIEW CASE E010 OF 2024**

**BM EBOSO, J
MARCH 17, 2025**

BETWEEN

HENRY MURIIRA MBAABU APPLICANT

AND

THE CABINET SECRETARY INCHARGE OF LANDS 1ST RESPONDENT

**DEPUTY COUNTY COMMISSIONER BUURI WEST SUB
COUNTY 2ND RESPONDENT**

COUNTY COMMISSIONER MERU COUNTY 3RD RESPONDENT

CIEF LAND REGISTRAR 4TH RESPONDENT

**DIRECTOR LAND ADJUDICAITON IMENTI NORTH/IMENTI
SOUTH 5TH RESPONDENT**

DANIEL NKANATA NAITIRA 6TH RESPONDENT

RULING

1. This cause was initiated as a judicial review on 25/9/2024. The instruments initiating the judicial review cause were: (i) a notice of motion dated 23/9/2024 and (ii) a notice of appeal dated 23/9/2024. Subsequent to that, the ex-parte applicant filed a chamber summons seeking leave of the court to initiate judicial review proceedings.
2. Today, the ex-parte applicant has applied for an order expunging the notice of motion that initiated the cause and the admission of the subsequent chamber summons.
3. Clearly, both the notice of motion and the notice of appeal are incompetent. So is the chamber summons. Once the notice of motion is struck out for having been filed without leave of the court, that will be the end of this cause. If the applicant wants to obtain leave, he should bring a fresh cause.



4. The result is that the case/suit is struck out for being fatally incompetent. The applicant will be at liberty to initiate competent proceedings if he so desires. The ex-parte applicant shall bear costs of this cause.

5. It is so ordered.

DATED SIGNED AND DELIVERED AT MERU ON 17TH MARCH, 2025

B.M EBOSO [MR]

JUDGE

