



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT CHUKA
CHUKA ELC CASE NO 67 OF 2017
FORMERLY MERU ELC CASE NO.100 OF 2015

JANE CIANDURU CHEGE.....PLAINTIFF

VERSUS

JOSEPHINE MUKWANJAGU.....1ST DEFENDANT

ALBERT KIRIMI NCEGE.....2ND DEFENDANT

EPHANTUS MUGENDI M'RITHI.....3RD DEFENDANT

JUDGMENT

1. The plaintiff in her plaint dated 23rd September, 2015 prayed for judgment against the defendants jointly and severally for:

- a) A declaration that the subdivision of land Parcel **No.KARINGANI/GITARENI/690** and subsequent transfer from the deceased **M'RITHI M'RINGATA** to the defendants was fraudulent, improper, unlawful, and null and void ab initio.
- b) An order for cancellation of land Parcels Number **KARINGANI/GITARENI/3205, 3206 and 3207** and the same do revert / be consolidation (sic) to the initial Parcel No. **KARINGANI/GITARENI/690** to enable proper succession cause to be filed.
- c) Costs of this suit and interest.
- d) Any other or further relief that this honourable court deems fit to grant.

2. On 21st day of June, 2016, the parties proffered a consent to be adopted as an order of this court. The consent is in the following terms:

CONSENT ORDER

Upon receipt (sic) consent order dated 22.2.2016 and signed by Muthoni Ndeke & Co. Advocates for defendants, the following consent order is hereby recorded as follows:

1. That by consent registration of land parcels Number **Karingani/Gitareni/3205, 3206 and 3207** be cancelled and the same do revert to the initial **Parcel No. Karingani/Gitareni/690** to enable proper succession cause to be filed.

2. That each party to bear own costs of the suit.

Dated at Meru this 21st day of June, 2016

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Deputy Registrar

3.This consent is adopted as an order of this court.

4.This suit is marked as settled and should be removed from the register of pending suits.

5. It is so ordered.

Delivered in open court at Chuka this 28th day of February, 2017 in the presence of:

CA: Ndegwa

Parties not present

P. M. NJOROGE

JUDGE