



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT NAIROBI**  
**CIVIL CASE NO. 200 OF 2015**

**SAMUEL NG'ANG'A GACHAU.....1<sup>ST</sup> PLAINTIFF**

**ALICE MUNINI MUTHENGI.....2<sup>ND</sup> PLAINTIFF**

**VERSUS**

**THE ATTORNEY GENERAL .....1<sup>ST</sup> DEFENDANT**

**KENYA POWER & LIGHTING COMPANY LIMITED .....2<sup>ND</sup> DEFENDANT**

**RULING**

This suit was instituted in 2015. The plaintiff's claim against the defendants jointly and severally is for damages arising from an alleged malicious prosecution. The plaintiff now seeks for transfer of this suit from this court to the Chief Magistrates Court at Milimani Commercial Courts for hearing and determination in view of the enhanced jurisdiction of the subordinate court.

The application is not opposed save for costs.

I have considered the application. Section 18 of the Civil Procedure Act does permit this court to withdraw suit from the High Court and transfer it to another court of competent jurisdiction. The subordinate court has competent jurisdiction to hear and determine this suit. In the premise, I hereby order that this suit be and is hereby withdrawn from this court and transferred to the Chief Magistrate's Court at Milimani, Nairobi for hearing and determination. The file herein to be transmitted to the Chief Magistrate's Court at Milimani, Nairobi to facilitate expeditious disposal of the suit.

I make no orders as to costs of the application.

Orders accordingly.

**R.E. ABURILI**

**JUDGE**

**26/4/2016**