



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT MERU**  
**ENVIRONMENT & LAND CASE NO 67 OF 2015**

ROSALID JULIA NGUGI MURUNGI (ON BEHALF OF  
DECEASED ESTATE OF JAMLICK NJAGI).....PLAINTIFF

VERSUS

WASHINGTON RWIGI .....1<sup>ST</sup> DEFENDANT  
HUMPREY MUCHIRI.....2<sup>ND</sup> DEFENDANT

**RULING**

This application is dated 6th August, 2015 and seeks orders that :-

1. ***The Honourable Court be pleased to issue restraining orders against the 1st defendant and injunct him from interfering or entering in the land parcels of MAGUMONI/THUITA/4224, 2095, 2181 and 4236 until this application is heard and determined and until further orders of this Honourable Court.***
2. ***The Honourable Court be pleased to restrain the 1st and 2nd defendants from taking over the cows of the applicant and further restrain them from taking over her matrimonial house.***
3. ***Cost of this application to be paid by the respondents.***

The application has the following grounds:-

- a. ***The 1st defendant chased away the workers of the applicant from the tea farm and started picking tea with his own workers for his own benefit.***
- b. ***The 1st defendant took the applicant's water tank and chased away tenants and replaced them with his own.***
- c. ***The defendants chased away the applicant from her matrimonial home and took away house keys and locked away her clothes, utensils, furniture and all documents.***

The application is allowed in terms of prayer 1. Prayer 2 is only allowed to the extent that the defendants are restrained from taking over the Plaintiff's matrimonial home. Caroline Mwenda Njagi, daughter of

the deceased husband of the plaintiff should also be allowed full access to the matrimonial home in which she lived before her father died.

3. The application is deemed to have been heard and determined.
4. Costs shall be in the Cause.
5. Parties allowed 10 days to form a panel of arbitrators as they have suggested and report back on 18.11.2015.

It is so ordered.

***Dated in open Court at Meru this 29th day of October, 2015 in the presence of:-***

CC: Lilian/Daniel

Kirima for Plaintiff

Kijabe for Defendants

**P. M. NJOROGI**

**JUDGE**