

IN THE HIGH COURT OF KENYA AT NAIROBI

MILIMANI LAW COURTS

FAMILY DIVISION

MISC. NO. 81 OF 2014

(DIVORCE CAUSE NO. 353 OF 2013)

F K K.....PETITIONER

VERSUS

A W M.....RESPONDENT

RULING

1. I allow the petitioner's/applicant's application dated 23rd April 2014 and filed in this Court on 24th April 2014. This is because the marriage between him and the respondent was provided to have been contracted under the **Marriage Act (Cap. 150)**, and the certificate of marriage issued by the Registrar was indicated to be in pursuance of the **Act**. Under **section 3** of the **Matrimonial Causes Act (Cap. 152)** it is only the High Court that has jurisdiction to handle a matrimonial cause under the **Marriage Act**.
2. It is hereby directed that the Chief Magistrate's Court in Nairobi **Divorce Cause No. 353 of 2013** between the applicant and the respondent be transferred to this Division for hearing and determination.
3. Costs shall be in cause.

DATED and DELIVERED at NAIROBI this 27th November, 2014.

A.O. MUCHELULE

JUDGE