



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
E & L CASE NO. 182 OF 2013

SIMON MWORIA ANAMPIU.....1ST PLAINTIFF

SALESIO MIRITI M'MINYORI.....2ND PLAINTIFF

VS

M'ALAINE MBURUTHA SAMUEL ALIAS

ALAINE M'PURUTHA..... RESPONDENT/DEFENDANT

J U D G M E N T

The parties presented a consent dated 13th day of September 2013 for adoption as an order of the Court. The consent was in the following terms:

1. **Judgment be and is hereby entered for the plaintiffs against the defendant as per prayer (a) of the plaint dated 10.07.2013, which is admitted at paragraphs 1 and 2 of the statement of defence dated 20.08.2013.**
2. **The defendant shall transfer one (01) acre of land to the 1st plaintiff and 0.30 of an acre to the 2nd plaintiff both to be excised from the defendant's L. R. NO. TIGANIA/THANANGA/284, measuring about 5.2 hectares, within (30) days from the date the defendant receives the original title deed in respect of his afore-said parcel of land, either upon hearing and determination of Tigania P. M.C.CR.C. NO. 474 of 2013, or upon reconciliation in the same Tigania P. M.C.CR.C. NO. 474 of 2013, or in case the said original title deed is lost, upon issuance of another fresh title deed.**
3. **The 2nd plaintiff shall pay to the defendant the balance of the consideration of Kshs.20,000/= upon registration of the transfer documents in favour of the 2nd plaintiff, in terms of clause No. 3 of the sale agreement dated 14.01.2013.**
4. **the defendant shall pay the plaintiffs a half (½) of the costs of this case, which shall be agreed upon between the parties or if no agreement is reached, be taxed by the court in the normal way.**

We so consent.

Signed: 1. Simon Mworja Anampiu – ID. *[particulars withheld]* (1st plaintiff),

2. Salesio Miriti M'Minyori - ID *[particulars withheld]* (2nd plaintiff); and thumbprinted,

3. M'alaine Mburutha alias Alaine M'Purutha Id.*[particulars withheld]* (Defendant).

The consent is adopted as an order of the Court. This suit is marked as settled.

Delivered in open court at Meru this 16th day of September, 2013.

In the presence of:

Cc Daniel

Miss Nyaga h/b Carl Peters Mbaabu for 1st and 2nd Plaintiffs

M'Alaine Mpurutha – defendant

P. M. NJOROGE

JUDGE