



REPUBLIC OF KENYA

IN THE HIGH COURT

AT EMBU

Civil Case 32 of 2012

MACHARIA MURAGURI PLAINTIFF

VERSUS

ATTORNEY GENERAL..... DEFENDANT

RULING

Upon perusal of this file I do note the following;

1. In the body of the plaint the Plaintiff is claiming for;

Shs.721,740.00

Shs. 40,000.00

Shs.140,000.00

TOTAL SHS.901,740/=

Of interest is that the figures are not in numerical but WORDS ONLY.

2. In the prayers sought he seeks general prayers of;

i) Compensation

ii) Unspecified special damages

iii) 30% from 13/8/2010

3. Following the omission to indicate the sum claimed as indicated in (1) and going for general prayers the Court fees was assessed as shs.3,275/= by the Registry which is an under assessment. This is very wrong.

4. The amount in issue falls within the jurisdiction of the Chief Magistrate's Court. I therefore do not understand why it was filed in this Court.

I therefore decline to grant the orders sought as the matter is not properly before me for the reason that proper fees have not been paid.

I direct the Senior Deputy Registrar to take up this matter and deal administratively. Secondly I transfer this matter to the Chief Magistrate's Court for hearing and final determination.

DATED, SIGNED AND DELIVERED AT EMBU THIS 6TH DAY OF JUNE 2012.

H.I. ONG'UDI

JUDGE