

REPUBLIC OF KENYA

High Court at Malindi

Civil Suit 150 of 2012

KAZUNGU CHARO MADAGO (*Administrator*

of the estate of Kitsao Madago).....**DECEASED**

VERSUS

KAINGU KITSAO

MOHAMED HANIF WALI MOHAMED**DEFENDANTS**

RULING

1. I have considered all the material canvassed in respect of the two applications before me, as filed on 10th September, 2012 and 4th October, 2012 by the Plaintiff applicant. The applications seek temporary injunctive and reinstatement (mandatory orders, respectively, in favor of the Applicant against the Defendants with respect to the suit property herein, namely LR KILIFI/MTONDIA/153.
2. In my considered view the two applications have no merit, failing as they do to pass muster the principles governing the grant of item prohibitory or mandatory injunctions. The same are accordingly dismissed with costs. Detailed reasons for ruling to be delivered on 22nd February, 2013 at 2.30pm.

Delivered and signed at Malindi this **13th December, 2012** in the presence of Mr. Omolo for 2nd Defendant, 1st Defendant and applicant present.

C. W. Meoli
JUDGE