



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT NAIROBI**  
**CIVIL CASE NO. 418 OF 2003 (OS)**

**FRANCIS GACHIRA KARIUKI.....1<sup>ST</sup>**  
**PLAINTIFF/APPLICANT**

**MACHARIA KAMAU.....2<sup>ND</sup>**  
**PLAINTIFF/APPLICANT**

**JOHN MAINA KARIUKI.....3<sup>TH</sup>**  
**PLAINTIFF/APPLICANT**

**EDWARD NJOROGE KAMAU.....4<sup>TH</sup>**  
**PLAINTIFF/APPLICANT**

**V E R S U S**

**JOSEPH NDEGWA KARIUKI.....DEFENDANT/**  
**RESPONDENT**

**R U L I N G**

The application dated 26<sup>th</sup> January 2011 was served but was not responded to. There is decision of this court in which it was ordered that land parcel No. Loc. 8/Gatara/53 be shared equally as follows:-

- a) Francis Gachira Kariuki ..... 0.6 acres;
- b) Macharia Kamau ..... 0.6 acres;
- c) John Maina Kariuki ..... 0.6 acres;

d) Edward Njoroge Kamau ..... 0.6 acres;

e) Joseph Ndegwa Kariuki ..... 0.6 acres.

The title is in the names of the Defendant who has refused to produce the original Title Deed to the registrar to allow for the subdivision and eventual transfer as ordered by the court. To allow for the decision of the court to be realized, it is directed that the Defendant does produce the Title Deed to the Land Registrar within 30 days, failing which the Land Registrar shall be at liberty to dispense with its production and can go ahead and effect the subdivision and transfer.

The application is allowed with costs.

**DATED AND DELIVERED AT NAIROBI THIS 31<sup>ST</sup> DAY OF MARCH 2011**

**A. O. MUCHELULE**

**J U D G E**