



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI

COMMERCIAL & TAX DIVISION – MILIMANI

CIVIL CASE NO. 700 OF 2009

**LILIAN NJERI t/a BELIN MOBILE
ACCESSORIES.....PLAINTIFF**

VERSUS

**MARGARET RUGURU MACHARIA.....1ST
DEFENDANT**

PURITY MWIHAKI

MACHARIA.....2ND RESPONDENT

**GITHUI MACHARIA.....3RD
DEFENDANT**

RULING

By the time that this matter came for the highlighting of the skeleton submissions, I had some misgivings about its place in the Commercial Division of this court. In the course of the highlighting, my worst fears were confirmed when it came out clearly that the matter was exclusively one between a tenant and her landlord. There was absolutely not a drop of anything commercial on which to hang any thread of the action.

With a very heavy heart, I find that it would be more prudent if this matter is handled, not in the Commercial Division, but in the Land and Environmental Law Division of this court where it is more likely to receive the best treatment as opposed to this Division which normally specializes in corporate securities.

In the circumstances, I direct that this file be placed before the Presiding judge of the Land and Environmental Law Division of this court for appropriate action.

Orders accordingly.

DATED and **DELIVERED** at **NAIROBI** this 30th day of June, 2011

L NJAGI

JUDGE