



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT EMBU

JUDICIAL REVIEW APPLICATION NO. 60 OF 2011

**REPUBLIC.....APPLICAN
T**

VERSUS

**MWEA DIVISION LAND DISPUTES.....1ST
RESPONDENT**
**SRM WANGURU LAW COURTS.....2ND
RESPONDENT**
**JUDY WANGECHI KARIUKI.....3RD
RESPONDENT**
**PETER WARUI KARUIKI.....4TH
RESPONDENT**

AND

EXPARTE

**KARIUKI MUGO.....INTERESTED
PARTY**

RULING

This is the Application dated 19/9/2011. The applicant applies for leave to file Judicial Review for an order of Certiorari and Prohibition in respect of the Award made by the Mwea Division Land Disputes Tribunal and the court’s Judgment from Wang’uru Law Courts. The applicant has also filed a statement of Facts, a Verifying Affidavit.

The issue the Applicant is raising is on the jurisdiction of the Tribunal. The Respondents were served but

did not attend court. However the 3rd Respondent filed a Replying Affidavit, saying there was no interference with title.

I have read the copy of the proceedings at the Land Disputes Tribunal. It's important that the issue of title be sorted out. I therefore grant leave to the Applicant to file the substantive application as the same has been made within the stipulated time. He will do so and serve within 21 days. Further the leave shall operate as stay until this application is heard. Cost in cause.

DATED, DELIVERED AND SIGNED IN OPEN COURT AT EMBU THIS 19TH DAY OF OCTOBER 2011.

**H. I. ONG'UDI
JUDGE**