



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT EMBU**  
**JUDICIAL REVIEW NO. 48 OF 2009**

REPUBLIC.....  
.....APPLICANT  
**VERSUS**  
**CHAIRMAN MWEA LAND**  
**DISPUTES TRIBUNAL.....1<sup>ST</sup>**  
**RESPONDENT**  
**SRM WANGURU LAW COURTS.....2<sup>ND</sup>**  
**RESPONDENT**  
**EMMANUEL NJOGU MUCHINA.....3<sup>RD</sup>**  
**RESPONDENT**  
**AND**  
**JUDY NJERI MICERE.....EX-PARTE**  
**APPLICANT**

**R U L I N G**

This is the Applicant’s Application dated 11/9/2009 for leave to file Judicial Review for an order of Certiorari to move into the High Court and quash the award of Mwea Lands Disputes Tribunal and the order of Wang’uru SRM’s court delivered on 26/3/2009.

It has been made ex parte in line with Order 53 Rule 1 of Civil Procedure Rules. Accompanying the Application is:

1. An affidavit of verification
2. Statement of facts
3. Undated proceedings from the Tribunal
4. Proceedings from the Wang’uru SRM’s court.

The application for Certiorari has been filed within 6 months of the adoption by the court of the Tribunal’s award. As I said the Award is undated. This is a matter filed in 2009 and I wonder why it has taken this long to be prosecuted.

I grant the Applicant leave to file and serve the substantive application within 21 days. I decline to grant the order for stay as it is not merited.

**DATED, SIGNED AND DELIVERED IN OPEN COURT AT EMBU THIS 18<sup>TH</sup> DAY OF OCTOBER 2011.**

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