



The Appellant is the registered owner of land parcel NGANDORI/KIRIGI/4730. What the Tribunal did would result in cancellation of his title for two new titles. The Land Tribunal has not been clothed with jurisdiction to do that by the Land Disputes Act No.18/90. It is now settled that the Land Disputes Tribunals do not have jurisdiction to deal with issues of title to land. In the case of **WAMWEA –VS- CATHOLIC DIOCESE OF MURANGA REGISTRED TRUSTEES [2003] KLR 389** the Court of Appeal held that;

***“Tribunals and Land Disputes Appeals Committees do not have jurisdiction to hear disputes over title to land”.***

It is therefore clear that the Tribunal did not have the requisite jurisdiction to deal and give the Orders it gave. And for that reason I find merit in the Appellant’s Appeal which I allow. I quash the judgments by the Resident Magistrate entered on 22/4/2010 & 2/6/2010. I also quash the award of the Tribunal for being null and void *abinitio*. All other consequential orders are set aside.

There shall be an order that the Appellant remains the registered owner of the land **L.R. NGANDORI/KIRIGI/4730** unless the title is reversed by a court with competent jurisdiction.

Each party to bear his/her own costs.

**DATED, SIGNED AND DELIVERED AT EMBU THIS 14<sup>TH</sup> DAY OF DECEMBER 2011**

**H.I. ONG’UDI  
J U D G E**