



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT NAIROBI (MILIMANI LAW COURTS)**  
**CIVIL CASE 16 OF 2008**

**MICHAEL KARUKU GATURA ..... PLAINTIFF**

**VERSUS**

**WANJIRU KAMAU ..... RESPONDENT**

**RULING**

**APPLICATION TO ISSUE INJUNCTION AGAINST RESPONDENT STOPPING SURVEYORS TO COME**

**ON LAND NOTICE OF MOTION 20 JUNE 2008**

**I: Civil Practice and Procedure.**

1. I have before me only a notice of motion dated 20 June 2008 seeking orders of injunction to restrain the respondent from refusing to allow a surveyor to come upon land parcel LR Dagoretti/Mutiini/68.
2. There is no main suit herein.
3. A notice of motion cannot be filed on its own without a main suit. If one wishes to come to court without a plaint being filed in simple matters, or in land matters, an Originating Summons under Order XXXVI may be filed or an Originating Motion depending on the circumstances of the case.
4. The application herein is struck out with no orders as to costs.

DATED THIS 16<sup>TH</sup> DAY OF JULY 2008 AT NAIROBI.

**M. A. ANG'AWA**

**JUDGE**

Michael Karuku Gaturu plaintiff/applicant in person – present

Wanjiru Kamau defendant respondent in person - absent