



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAIROBI (NAIROBI LAW COURTS)
Civil Case 16 of 2008

1. Land and Environmental Law Division
2. There is no main suit.
3. Subject of application: Land

LR Dagoretti/Mutuini/68

- b) prayer for court to issue injunction against respondent from stopping surveyors to come on land.
- c) Application 20.6.08

4. Civil Practice and Procedure.

- a) There is no main suit filed
- b) Only a notice of motion of 20.6.08
- c) Order L Rule 1 Civil Procedure Rules.

Section 3A Civil Procedure Act.

5. Held:

- a) Procedure to file main suit.
- b) Notice of motion 20.6.08 struck out.

6. Advocate – nil

Michael Karuku Gaturu plaintiff/applicant in person – present

Wanjiru Kamau defendant respondent in person - absent

MICHAEL KARUKU GATURA PLAINTIFF

VERSUS

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 16TH 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