

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA
AT NYERI
Civil Suit 300 of 1996

FREDRICK WACHIRA NDEGWA

Representing Ndegwa Wachira (Deceased).....APPLICANT/PLAINTIFF

Versus

RICARDA WANJIKU NDANJERU.....1ST RESPONDENT/DEFENDANT

BEAUTAH KANYORA MUTHUI.....2ND RESPONDENT/DEFENDANT

RULING

The Plaintiff came to Court by way of Chamber Summons dated 5th March 2007. At the time when this Court heard the matter the Court was not alive to the fact that the Plaintiff was seeking a Constitutional Reference. Looking at the application that is what the Plaintiff seeks and accordingly, in view of the directives made by the Hon. The Chief Justice issued gazette Notice No. 300 of 2007 which directed that such matters should be heard only by High Court at Nairobi. Therefore this Court cannot hear the application. The only order that this Court is capable of making is that this matter be and is hereby transferred to the High Court Nairobi Constitution and Judicial Review Division of the High Court for the hearing of the Chamber Summons dated 5th March 2007. Those then are the orders of this court.

Dated and delivered at Nyeri this 27th day of July 2007.

MARY KASANGO

JUDGE