



Republic v District Land Adjudication & Settlement Officer – Igembe & another; Maingi & another (Interested Parties); Maingi (Ex parte Applicant) (Environment and Land Judicial Review Case E003 of 2025) [2025] KEELC 5356 (KLR) (2 July 2025) (Ruling)

Neutral citation: [2025] KEELC 5356 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT MERU
ENVIRONMENT AND LAND JUDICIAL REVIEW CASE E003 OF 2025**

**BM EBOSO, J
JULY 2, 2025**

BETWEEN

REPUBLIC APPLICANT

AND

**THE DISTRICT LAND ADJUDICATION & SETTLEMENT OFFICER –
IGEMBE 1ST RESPONDENT**

THE ATTORNEY GENERAL 2ND RESPONDENT

AND

PATRICK GITONGA MAINGI INTERESTED PARTY

ALBANO STEPHEN NJILU MAINGI INTERESTED PARTY

AND

TIMOTHY MICHUBU MAINGI EX PARTE APPLICANT

RULING

1. The court has considered the arguments advanced by the *ex-parte* applicant in support of the plea for leave. The Attorney General does not oppose the plea.
2. The interested parties fault the *ex-parte* applicant for raising factual issues and for failing to file an ordinary civil suit. The *ex-parte* applicant’s rejoinder is that the 1st respondent has failed to grant him consent and therefore he cannot file an ordinary civil suit.
3. Taking into account the foregoing, the court comes to the conclusion that there may be issues that warrant further consideration through a substantive judicial review motion. Consequently, the *ex-parte* applicant is granted leave to initiate judicial review proceedings as prayed. The motion shall be



filed and served within 21 days and responded to within 21 days of service. Mention on 16/9/2025 for directions on disposal.

DATED, SIGNED AND DELIVERED AT MERU THIS 2ND DAY OF JULY, 2025

B M EBOSO

JUDGE

In presence of

Mr. Koome for the Ex-parte Applicant

Mr. Gikonyo for the Interested Party

Ms Wairimu for the Respondent

Court Assistant - Tupet

