



**Thuo & 151 others v National Land Commission & 4 others (Environment & Land  
Petition E004 of 2022) [2024] KEELC 608 (KLR) (7 February 2024) (Ruling)**

Neutral citation: [2024] KEELC 608 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT THIKA  
ENVIRONMENT & LAND PETITION E004 OF 2022**

**BM EBOSO, J**

**FEBRUARY 7, 2024**

**BETWEEN**

**GICIRI THUO & 151 OTHERS & 151 OTHERS & 151 OTHERS & 151  
OTHERS ..... PETITIONER**

**AND**

**NATIONAL LAND COMMISSION ..... 1<sup>ST</sup> RESPONDENT**

**MAMA NGINA UNIVERSITY COLLEGE ..... 2<sup>ND</sup> RESPONDENT**

**KENYATTA UNIVERSITY ..... 3<sup>RD</sup> RESPONDENT**

**MINISTRY OF EDUCATION ..... 4<sup>TH</sup> RESPONDENT**

**KENYA HUMAN RIGHTS COMMISSION ..... 5<sup>TH</sup> RESPONDENT**

**RULING**

1. The 2nd and 3rd respondents brought a notice of motion dated 2/2/2024, seeking transfer of this petition to the Land Acquisition Tribunal [the LAT]. Their case is that this court elected to exercise primary jurisdiction because the LAT had not been operationalized at the time but has since been operationalized and is available to adjudicate the dispute in the petition.
2. All the parties are in agreement that the petition [dispute] should be transferred to the LAT.
3. In the circumstances, this petition is hereby transferred to the Land Acquisition Tribunal for primary adjudication and disposal of the issues that fall within the mandate of the Tribunal. Up to this point, there will be no order as to costs.

**DATED, SIGNED AND DELIVERED VIRTUALLY AT THIKA ON THIS 7TH DAY OF  
FEBRUARY 2024**

**B M EBOSO**



## **JUDGE**

In the presence of:

Mr. Malenya for the Petitioner

Mr. Njoroge Regeru for the 2nd and 3rd Respondents

Ms Masinde for the Respondent

Ms Ngira for the 4th and 5th Respondents

Court Assistant: Hinga/Melita

