



Mutunga v State Law Office (Judicial Review Miscellaneous Application E128 of 2025) [2025] KEHC 6637 (KLR) (Judicial Review) (22 May 2025) (Ruling)

Neutral citation: [2025] KEHC 6637 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)
JUDICIAL REVIEW
JUDICIAL REVIEW MISCELLANEOUS APPLICATION E128 OF 2025**

RE ABURILI, J

MAY 22, 2025

BETWEEN

FAITH MWENDE MUTUNGA APPLICANT

AND

STATE LAW OFFICE RESPONDENT

RULING

1. The application dated 20/3/2025 seeks leave of court to apply for Judicial Review Order of mandamus to compel the Principal Administrative Secretary of the National Police Service to pay the applicant Kshs. 240,033 decretal sum and certified costs with interest at 12% per annum from 6/7/2021 until payment in full which is now Kshs.297,640.
2. The affidavit in support claims that the decree is in Milimani CMCC 6010/2016. I have considered the application and the accompanying documents including the judgment and certificate of order against the Government in Milimani CMCC 6010/2016.
3. I am inclined to dismiss the application for leave on the sole ground that the Principal Administrative Secretary is not the accounting officer of the National Police Service or of any Ministry as contemplated in Section 21 of the Government Proceedings Act and the Public Finance Management Act.
4. It will be in vain for this court to grant leave to the applicant to apply for mandamus against the wrong person or office and office holder. The chamber summons dated 20/3/2025 is hereby dismissed with no orders as to costs.
5. The applicant may file a fresh application citing the correct parties.
6. This file is closed.



DATED, SIGNED AND DELIVERED AT NAIROBI THIS 22ND DAY OF MAY, 2025

R.E. ABURILI

JUDGE

