



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU

ELC CASE NO. 45 OF 2017

JOYCE NCHEGE M'IMUNYA.....PLAINTIFF

VERSUS

AMBROSE KAMURU NABEA.....DEFENDANT

RULING

1. The Notice of Motion dated 13th day of February, 2017 seeks the following orders:-
 - i. THAT the court be pleased to issue orders, inhibiting Parcel NO. TIGANIA/THANANGA/725 preventing any dealings on the register until hearing and determination of this application and this suit.
 - ii. THAT orders to be served upon Land Registrar Maua for compliance.
 - iii. THAT costs, interest and any other relief the courts deems to grant.
2. The application is supported by the affidavit of JOYCE NCHEGE M'IMUNYA and has the grounds:-
 1. THAT she entered into a sale agreement with respondent on 28/10/2009 for purchase of 0.45 acres out of TIGANIA/THANANGA/725.
 2. THAT the respondent was the registered owner and he was to cause subdivision and showed her, her portion on the ground and she took exclusive occupation and possession of the suit land.
 3. THAT she built a home thereon and planted tea bushes which she has been harvested and use this for her livelihood.
 4. THAT she approached the defendant for transfer of the land but he became evasive.
 5. THAT she then cautioned the land.
 6. THAT later she talked and they agreed with respondent that she removes the caution so that he would transfer land to her.
 7. THAT recently she learnt that the respondent is selling the said land to 3rd party.
 8. THAT she went to Land Registrar Maua to caution the land but he declined and advised that she seek inhibition orders of the court.

9. THAT just last week the respondent had attended the Land Control Board Mikinduri transferring the land to a 3rd party and she intervened and stopped and he said he should do a special la board which is a back door attempting to deprive her of the land.

10. THAT if the land is not inhibited then the same can change hands any day.

3. The application was served, but no response has been filed. The application stands as un opposed. The application is allowed in the following terms:-

- i. An order of inhibition is hereby issued for parcel No. TIGANIA/THANANGA/725.
- ii. The order to be served upon Land Registrar Maua
- iii. Costs in the cause.

DELIVERED IN OPEN COURT AT MERU THIS 5TH DAY OF APRIL, 2017 IN PRESENCE OF:-

CA: Janet

Applicant present

HON. L. N. MBUGUA

JUDGE