



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NANYUKI

HCJRA. NO. 2 of 2015

PHILIP KINGORINDERITU.....APPLICANT

- VERSUS -

THE DIRECTOR OF LANDS AND HOUSING

& URBAN DEVELOPMENT RESPONDENT

RULING

1. **PHILIP KINGORINDERITU and ESTHER MUTHONINDERITU**, the exparte application, by their Notice of Motion dated 23rd October, 2015 seek order of certiorari and prohibition directed at the County Government of Laikipia enforcement Notice issued under Physical Planning Act Cap 286.
2. The parties submitted in writing and I reserved my judgment for today.
3. When however I began to consider the matter it became clear that this court does not have jurisdiction to entertain the matter. This is because the matter involves the use and occupation of land.
4. Under Article 162 (2) (b) of the Constitution this matter can only be entertained in the Environment and Land court.
5. It is for that reason that I hereby transfer this file to Nyeri Environment and land court. At the reading of this Ruling I shall give the parties a mention date before that court.

Dated and Delivered at Nanyuki this 7th April, 2016

MARY KASANGO

JUDGE

Coram

Before Justice Mary Kasango

Court Assistant – Njue

For Applicant

For Respondent

COURT

Ruling delivered in open court

MARY KASANGO

JUDGE