



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

LAND & ENVIRONMENT CASE NO. 292 OF 2013

EVANGELINE MWENDWA.....PLAINTIFF

VERSUS

AMBROSE KAUMBUTHU.....1ST DEFENDANT

LATANI THARICHIA.....2ND DEFENDANT

CYPRIAN M'LITHUMAI.....3RD DEFENDANT

R U L I N G

1. This application is dated 21st November, 2016 and seeks orders:-

(1) THAT this honourable Court do order and direct the District Land Surveyor Meru North District (Nyambene) and the Land Registrar to show the Applicant on the ground the boundaries of land parcel No. ATHING'A/ATHANJA/6903 Athing'a Athanja Land Adjudication Section under the security of the Officer Commanding Station Tigania Police Station.

(2) THAT this Honourable Court do issue such further or better orders as will meet the ends of justice.

(3) THAT the costs of this application be provided for.

2. This application seeks to facilitate the implementation of this Court's judgement delivered on 24th September, 2014, which granted the following orders:-

(1) An order that the Defendants, either by themselves, agents, family members and/or employees do vacate land parcel No. ATHING'A/ATHANJA/6903 and in default to be forcefully evicted with the assistance of the Officer Commanding Police Station (O.C.S) Tigania Police Station.

(2) An order of permanent injunction do issue restraining the Defendants either by themselves, servants, agents, employees, successors in title or anybody else claiming at their behest from entering. Occupying , working, remaining or in any way interfering with the Plaintiff's agents, servants employees or successors in title user, occupation and/or enjoyment of land parcel No. ATHING'A/ATHANJA/6903 Athinga Athanja Land Adjudication Section.

(3) Mesne profits.

(4) Any further or better relief.

(5) Costs of the suit.

3. I find that the application is meritorious is, therefore allowed.

4. It is ordered as follows:-

1. The District Land Surveyor, Meru North District (Nyambene) and the Land Registrar whose jurisdiction covers the said area is ordered and directed to show the applicant, Evangeline Mwenda, on the ground the boundaries of land parcel No. ATHINGA/ATHANJA./6903, Athanja Land Adjudication Section under the security of the officer Commanding Station Tigania Police Station.

2. No costs are awarded.

3. Its is so ordered.

DELIVERED IN OPEN COURT AT MERU THIS 5TH DECEMBER, 2016 IN THE PRESENCE OF:-

C:A Daniel/James

P.M. NJOROGE

JUDGE