



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
CIVIL CASE NO 8 OF 2010

STANLEY KAUNGAPLAINTIFF

VERSUS

JACKSON KIAMAMBI M'IMAANA.....1ST DEFENDANT

THE DISTRICT LAND ADJUDICATION OFFICER2ND DEFENDANT

THE HON. ATTORNEY GENERAL.....3RD DEFENDANT

R U L I N G

1. The Parties in this suit wanted the suit transferred to Tigania Law Courts.
2. In view of the recent High Court decision in Malindi HCCC Constitutional Petition NO 3 of 2016, until, and unless, that judgment is overturned by a higher Court, lower Courts do not have jurisdiction to handle land matters.
3. In the Circumstances, the prayer to have this suit transferred to Tigania Law Courts is declined.
4. The Registry is directed not to entertain applications for transfer of suits from the ELC to the Lower Courts.
5. As there is a pending appeal against the Malindi decision, litigants should note that the Honourable the Chief Justice has directed that pending determination of the said appeal no applications for transfer of suits from the Lower Courts to ELC should be entertained.
6. The Registry is directed not to entertain applications for transfer of suits from the Lower Courts to the ELC.
7. It is so ordered.

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

C:A Daniel/James

Miss Muna h/b Rimita for the Plaintiff

Jackson Kiambati-1st Defendant

Kimathi for 2nd and 3rd Defendants

P.M. NJOROGI

JUDGE