



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
CIVIL CASE NO. 20 OF 2015

RUTH SILAS M'MUTIGA.....PLAINTIFF/APPLICANT

VERSUS

GEOFFREY KATHURIMA M'KIUNGU.....DEFENDANT/RESPONDENT

RULING

This application is dated 23.3.2015. It seeks orders:

1. ***THAT this application be certified as urgent.***
2. ***THAT this Honourable court be pleased to issue injunctive orders restraining the respondents by themselves, their agents, servants, employees, family members or anyone acting on their behest from entering, cultivating, harvesting, developing, constructing, alienating, selling or in any other way interfering with the plaintiff's land originally No.915/KIIRUA/NKANDO and now KIIRUA/KIIRUA/NKANDO/837 pending the hearing and determination of this application and the main suit herein.***
3. ***That orders for inhibition do issue preventing any dealings on parcel No.KIIRUA/KIIRUA/NKANDO/837 until the final hearing and determination of this suit.***
4. ***Costs, interests and any other relief this Honourable court deems just and fit to grant.***

It is supported by the affidavit of the applicant and has the following grounds;

1. ***THAT the plaintiff/applicant is a beneficiary and the owner in possession of land parcel No. 915 which has now been re-titled and given a new number to read KIIRUA/KIIRUA/NKANDO/837.***
2. ***THAT the suit land belonged to the plaintiff who has been in occupation of the same since 1986 and she depends on the same for her livelihood.***
3. ***THAT unless inhibition and injunctive orders are issued, the plaintiff and the family will be blocked from their only source of livelihood thus causing them irreparable loss, damage and live a destitute life***

There is evidence that the defendant/respondent was properly served and was aware of today's interpartes hearing.

Mrs Kaume said that she was relying on the particulars on the face of the application and the applicant's Supporting Affidavit. This application is deemed properly heard interpartes. It is allowed. Costs shall be in the cause.

Delivered in Open Court at Meru this 6th day of May, 2015 in the presence of:

Cc. Lilian/Daniel

Mrs Kaume for the Applicant

P. M. NJOROGE

JUDGE