



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
CIVIL SUIT NO 35 OF 2011

DAVID KITHINJI MARETE1ST PLAINTIFF/APPLICANT

JUSTUS KIMATHI MARETE 2ND PLAINTIFF/APPLICANT

KENNETH KIOGORA MARETE 3RD PLAINTIFF/APPLICANT

VERSUS

RAEL REGERIA KABURU1ST DEENDANT/RESPONDENT

CATHERINE MUTHONI RUKUNGA 2ND DEFENDANT/RESPONDENT

RULING

This application states that it is predicated upon Order 51 of the Civil Procedure Rules and Sections 1A, 1B and 3A of the Civil Procedure Act. It seeks orders:-

1. ***THAT the suit herein be transferred to Tigania Principal Magistrate's Court for hearing and determination.***
2. ***THAT the costs of this application be costs in the cause.***

The application is supported by the Affidavit of DAVID KITHINJI MARETE, the applicant and has the following grounds:-

- a. ***THAT the matter in dispute herein arose within Tigania which Court has the jurisdiction to hear and determine this matter.***
- b. ***THAT it is in the interest of justice that the matter be efficiently disposed of.***
- c. ***THAT as such this suit should be transferred to the Principal Magistrate's Court at Tigania for hearing and final determination.***

On 9th November, 2015, the parties present indicated that they were not opposed to the application. In the Circumstances, it is allowed with Costs to be in the cause.

It is so ordered.

Delivered in Open Court at Meru this 9th day of November, 2015 in the presence of:-

CC: Daniel /Lilian

Miss Rimita for Plaintiffs

Muthamia h/b Mwanzia for 2nd Defendant

P. M. NJORGE

JUDGE