



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT MERU**  
**CIVIL SUIT NO 162 OF 2010**

DIOCESE OF MERU TRUSTEES  
REGISTERED.....RESPONDENT/PLAINTIFF

**VERSUS**

COUNTY COUNCIL OF THARAKA.....DEFENDANT  
THARAKA NITHI COUNTY GOVERNMENT .....APPLICANT

**RULING**

This application is dated 23/09/2015 and seeks orders:-

***1. That the applicant herein Tharaka Nithi County Government, be substituted as the defendant herein in place of the Tharaka County Council.***

***2. Costs be in the cause.***

It is buttressed by the affidavit of Charles Kathanya and has the following grounds:-

***I. The suit was commenced against the then Tharaka County Council.***

***II. Tharaka County Council has ceased to exist by operation of law.***

***III. That the Tharaka Nithi County Government took over all the assets of the County Council.***

On 03/11/2015, the parties, by Consent agreed to have the application allowed. I note that the application is meant to facilitate the inclusion of Tharaka Nithi County Government in this suit. This is a necessary imperative so that the suit can accord with the new Constitutional dispensation as dictated by the Constitution of Kenya, 2010.

The application is allowed.

Cost shall be in cause.

**Delivered in open Court at Meru this 3<sup>rd</sup> November, 2015 in the presence of:-**

**CC: Lilian/Daniel**

Murango Mwenda for the Plaintiff

Rimita for Defendants

**P. M. NJOROGI**

**JUDGE**