



**IN THE HIGH COURT AT NAIROBI**

**MILIMANI LAW COURTS**

**CONSTITUTIONAL AND HUMAN RIGHTS DIVISION**

**PETITION NO. 358 OF 2013**

**BETWEEN**

**CHILDREN OF GOD RELIEF INSTITUTE LTD.....PETITIONER**

**AND**

**CHIEF LAND REGISTRAR..... 1<sup>ST</sup> RESPONDENT**

**NATIONAL LAND COMMISSION.....2<sup>ND</sup> RESPONDENT**

**HON. ATTORNEY GENERAL.....3<sup>RD</sup> RESPONDENT**

**RULING**

1. I am satisfied that the subject of this suit being **Gazette Notice No. 13104** which revoked title **LR No. 17864/22** belonging to the petitioner was dealt with in **Nairobi Petition No. 178 of 2011** as consolidated with other cases (*Power Technics Ltd v Attorney General and others [2012]eKLR*). In that case the court declared **Gazette Notice No. 13104**, which is the subject of this suit, null and void and directed the Registrar of Titles to Gazette the said declaration and cancellation of the titles contained therein.
2. The Registrar duly complied by publishing the “*Cancellation of Revocation of Land Titles*” which included **Gazette Notice No. 13104**. In that case, the Court made orders, inter alia that the Registrar cancel, delete and or remove all entries giving effect or made pursuant to **Gazette Notice Nos. 13104** and all titles listed in the said Gazette Notice.
3. In the circumstances this suit, is so far as it seeks inter alia, a declaration that **Gazette Notice No. 13104** dated 10<sup>th</sup> October 2011 is unconstitutional, null and void, is settled in view of the judgment in **Petition No. 178 of 2011** and the subsequent action by the Registrar.
4. Consequently this suit is marked as settled with no order as to costs.

**DATED and DELIVERED at NAIROBI this 12<sup>th</sup> February 2014**

**D.S. MAJANJA**

**JUDGE**