



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT MERU**

**E & L NO. 167 OF 2014**

**DIOCESE OF MERU TRUSTEES REGISTERED.....PLAINTIFF**

**VS**

**THE COUNTY GOVERNMENT OF MERU.....DEFENDANT**

**RULING**

This application by the plaintiff is dated 30th October, 2014. It seeks the following orders.

1. *That this application be certified urgent and be heard ex-parte in the first instance.*
2. *That pending the hearing of this application inter-partes this Honourable court be pleased to issue an order of injunction restraining the defendant by itself, its agents, servants or employees or anybody whomsoever acting for the defendant from entering, interfering damaging or in any way disturbing the plaintiff's use of L.R No. Amwathi/Maua/3803 and 6610 by attempting to reopen the road passing through or between St Paul Maua Primary School and Maua Girls Secondary School.*
3. *That pending the hearing and determination of this suit this Honourable court be pleased to issue an order of injunction restraining the defendant by itself, its agents, servants or employees or anybody whomsoever acting for the defendant from entering, interfering damaging or in any way disturbing the plaintiff's use of L.R No. Amwathi/Maua/3803 and 6610 by attempting to reopen the road passing through or between St Paul Maua Primary School and Maua Girls Secondary School.*
4. *That the costs of this application be provided for.*

When the application came up for inter-partes hearing was not opposed. There is a certificate of service showing that the defendant was properly served.

In the circumstances, the application is allowed in terms of prayer 3 of the application. Cost shall be in the cause.

It is so ordered.

**Delivered in open court at Meru this 12th day of November, 2014 in the presence of;**

**Arimi/Lilian.**

**Rimita for the applicant.**

**P. M. NJOROGE**

**JUDGE**