



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

Environment & Land Case MISC APPLICATION NO. 145 OF 2006

IN THE MATTER OF AN APPLICATION FOR JUDICIAL REVIEW FOR ORDERS OF CERTIORARI/PROHIBITION AGAISNT THE MERU CENTRAL DISTRICT LAND DISPUTES TRIBUNAL ABOGETA DIVISION

AND

IN THE MATTER OF SECTION 8 AND 9 OF THE LAW REFORM ACT CAP 26 LAWS OF KENYA

AND

IN THE MATTER OF THE REGISTERED LAND ACT CAP 26 LAWS OF KENYA

AND

IN THE MATTER OF MERU CENTRAL LAND DISPUTES TRIBUNAL CASE NO. 59 OF 2005

AND

IN THE MATTER OF LAND P ARCEL NO. ABOGETA/U-KITHANGARI/309

AND

IN THE M ATTER OF MERU CMCC L.D.T NO.11 OF 2006

REPUBLIC

.....APPLICANT

VERSUS

THE DISTRICT (AS CHAIRMAN

MERU

CENTRAL DISTRICT LAND DISPUTES TRIBUNAL).....1ST RESPONDENT

LAND DISPUTES TRIBUNAL ABOGETA DIVISION.....2ND RESPONDENT

JULIUS KIARA.....INTERESTED

PARTY

EX-PARTE.....EPHANTUS RIUNGU
MAGIRI

R U L I N G

On 6.12.12 when this file was in Court for mention to fix a hearing date, the ex-parte applicant asked the Court to address the issue of whether it has jurisdiction to handle Judicial Review matters.

The respondent and the Interested Party supported him.

In view of my ruling in ELC Misc Application 163 of 2006 on 2nd May, 2013, and unless my view is Judicially overruled, I find that the environment and Land Court has the Constitutional status of the High Court and has jurisdiction to hear Judicial Review matters germane to its mandate.

DELIVERED, DATED AND SIGNED IN OPEN COURT THIS 10TH DAY OF MAY, 2013 IN THE PRESENCE OF:

B. G. Kariuki for Exparte Applicant

Menge for Respondents – Absent

Arithi for Interested party - Absent

P. M. NJOROGE

JUDGE