



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT MERU**  
**ELC MISC. APPLICATION NO. 33 OF 2009**

.....

**IN THE MATTER OF AN APPLICATION FOR JUDICIAL REVIEW**

**AND**

**IN THE MATTER OF THE LAND ADJUDICATION ACT CAP 284 AND  
OBJECTION NO.28 INVOLVING PARCELS NO.1659 & 1639 AKIRANGONDU**

**BETWEEN**

**REPUBLIC.....APPLICANT**

**VERSUS**

**& SETTLEMENT OFFICER, ISEMBE DISTRICT**  
**ADJUDICATION & SETTLEMENT OFFICER.....RESPONDENTS**

**1. LAND ADJUDICATION**  
**2. DIRECTOR OF LAND**

**AND**

**M'THAMBURA)**  
**BAIMUIKU).....INTERESTED PARTIES**

**1. M'IKIAO**  
**2. UNGU**

**EX- PARTE**  
**APPLICANT.....M'IMAANA M'THILAI**

**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 respondents and the interested parties 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 9th day of May, 2013 in the presence of:

**P. M. NJOROGE**

**JUDGE**