

REPUBLIC OF KENYA

High Court at Malindi

Civil Suit 105 of 2012

1. UTE HERTHA GOODWIN

2. VIOLET MAY FINLAY.....PLAINTIFFS

VERSUS

BEN KITHI.....DEFENDANTS

RULING

By virtue of Clause No. 2 of the Practice Directions by the Chief Justice gazetted vide Gazette Notice no. 1617 of 9th February, 2012, this court has the necessary jurisdiction. The judges of the Land and Environment Court had not been sworn in to assume office as at 20th September, 2012. The preliminary objection lacks a basis and is dismissed with costs. Now that the Land and Environment Court has been established in this court, I direct that this matter be heard before that court.

Delivered and signed at Malindi this **7th day of November, 2012** in the presence of Mr. Bosire advocate for Mr. Kilonzo for the defendants.

C. W. Meoli

JUDGE

7th November, 2012