



**REPUBLIC OF KENYA**

**IN THE ENVIRONMENT AND LAND COURT AT KITALE**

**CONSTITUTIONAL PETITION NO. 7 OF 2018**

**TRANS NATIONAL TIMES SACCO**

**SOCIETY LIMITED FORMERLY**

**TRANS NZOIA TEACHERS SACCO.....PETITIONER**

**VERSUS**

**THE NATIONAL LAND COMMISSION .....1<sup>ST</sup> DEFENDANT**

**COUNTY GOVERNMENT OF**

**TRANS-NZOIA.....2<sup>ND</sup> DEFENDANT**

**PRINCIPAL SECRETARY**

**MINISTRY OF AGRICULTURE.....3<sup>RD</sup> DEFENDANT**

**RULING**

1. I have examined the petition and the other documents filed herein and I find that this matter concerns parcels of land known as **Block 6** and **Block 7 Kitale Municipality**.

2. Recently I issued orders in another suit to wit **KITALE ELC. PET NO. 6 OF 2018 ISAIAH WANYONYI & 42 OTHERS VERSUS NATIONAL LAND COMMISSION, COUNTY GOVERNMENT OF TRANS-NZOIA, PRINCIPAL SECRETARY MINISTRY OF AGRICULTURE, AND HON. ATTORNEY GENERAL** on 6/2/2019 to the effect that the respondents therein who are essentially the same respondents herein, are prohibited from interfering with the ownership and use of the pieces of land known as **Kitale Municipality 6** and **7** and from imposing penalties, revoking of Titles and placing restrictions on the said documents amongst other actions pending hearing and determination of this conditional petition.

3. Since that cited petition is in respect of land that is situate within the same blocks mentioned herein, those orders will apply to this petition. That direction disposes of the instant application.

**Dated, signed and delivered at Kitale on this 25<sup>th</sup> day of February, 2019.**

**MWANGI NJOROGI**

**JUDGE**

**25/2/2019**

Coram:

Before - Hon. Mwangi Njoroge, Judge

Court Assistant - Picoty

Mr. Wanyonyi holding brief for Mukele for 2<sup>nd</sup> respondent

Mr. Chebii holding brief for Kiveu for petitioner

N/A for 1<sup>st</sup> respondent

N/A for Attorney General

**COURT**

Ruling read in open court.

**MWANGI NJOROGE**

**JUDGE**

**25/2/2019**