



REPUBLIC OF KENYA



KENYA LAW
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**Munyiti v Nguku (Environmental and Land Originating Summons
342 of 2017) [2025] KEELC 7348 (KLR) (28 October 2025) (Ruling)**

Neutral citation: [2025] KEELC 7348 (KLR)

REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT MACHAKOS
ENVIROMENTAL AND LAND ORIGINATING SUMMONS 342 OF 2017
NA MATHEKA, J
OCTOBER 28, 2025

BETWEEN

PHILIP NZUKI MUNYITI PLAINTIFF

AND

MULI NGUKU DEFENDANT

RULING

1. The application is dated 3rd July 2025 and is brought under Sections 1A,1B and 3A of [Civil Procedure Act](#) seeking the following orders;
 1. That this Honourable Court be pleased to order that the register be rectified and Plot No. Kangundo/Mbusyani/975 be issued in the name for the Appellant.
 2. Costs be in the cause.
2. It is based on the grounds that that Judgment has been delivered giving the Applicant ownership of the land. That the order sought is consequential and a necessary incident of the Judgment given. It is also supported by the annexed Affidavit of Philip Nzuki Munyiti.
3. This court has considered the application and the supporting affidavit. The application was served and the Respondent failed to attend court or file any grounds of opposition. I have perused the court record and find that on the 15th May 2023 the court delivered judgement in favour of the applicant the judgement stated that;
 - i. That the Applicant Philip Nzuki Munyiti be and is hereby entitled to all that parcel of land No. Kangundo/Mbusyani/975 by virtue of adverse possession as against the Respondent.
 - ii. There will be no orders as to costs.



4. The application is not opposed. Court orders are not issued in vain. The court order is clear on the ownership of the suit property. I find that the application is merited and I grant it as prayed.
3. An order to issue that the register be rectified and Plot No. Kangundo/Mbusyani/975 be issued in the name for the Applicant Philip Nzuki Munyiti within 30 (Thirty) days upon service of this order to the Respondent.
4. No orders as to costs.

It is so ordered.

DELIVERED, DATED AND SIGNED AT MACHAKOS THIS 28TH DAY OF OCTOBER 2025.

N.A. MATHEKA

JUDGE

