



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MERU

ELC MISC NO. 11 OF 2019

JOHN KIRIMANIA EKABU.....APPLICANT

VERSUS

STEPHEN M'IKIAMBA.....1ST RESPONDENT

TABITHA LAARIA (Suing as legal representative of the estate of

SOLOMON RARIA M'ETHANGATHA..... 2ND RESPONDENT

CHARITY GAKII ITABARI (suing as legal representative of the estate of

JOHN M'ITABARI THIMANGU.....3RD RESPONDENT

JAMES K. AKWALU.....4TH RESPONDENT

JULIUS RUKIOYA EKABU.....5TH RESPONDENT

LAND ADJ. OFFICER TIGANIA.....6TH RESPONDENT

THE ATTORNEY GENERAL..... 7TH RESPONDENT

ORDER/RULING

1. I have considered the arguments raised herein. On 28.3.2019, the court gave directions to the effect that respondents were to avail a valuation report by a government valuer by today. They have not managed to comply with such directions for reasons contained in a letter allegedly written to the court by the government valuer.

2. I have however noted that from the word go, this application was made primarily because the applicant is very old. I have now been told that he is also sickly.

3. The geographical jurisdiction of the Tigania court is not disputed. What the respondent's dispute is the pecuniary jurisdiction of that Tigania court.

4. It follows that, the issue of pecuniary jurisdiction can still be followed up at Tigania.

5. For now, I allow the application dated 22.2.2019 with no orders as to costs. This miscellaneous file is marked as closed.

DATED, SIGNED AND DELIVERED IN OPEN COURT AT MERU THIS 24TH DAY OF APRIL, 2019 IN THE PRESENCE OF:-

C/A: Kananu

C.P Mbaabu for applicant

Ojiambo holding brief for Miss Munga for 1st – 5th respondents

HON. LUCY. N. MBUGUA

