

**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NAIROBI**  
**JUDICIAL REVIEW DIVISION**  
**JUDICIAL REVIEW APPLICATION NO. E.349 OF 2025**

1. **STEPHEN KILONZO**
2. **ERIC NGALI MUTINDA** (Suing as the legal representatives of the estate of **IRENE MUTINDA MASUNGWA OKOLA (DECEASED)**).....**APPLICANTS**

**VERSUS**

1. **THE INSPECTOR GENERAL OF POLICE**
2. **THE HONOURABLE ATTORNEY GENERAL**..... **RESPONDENTS**

**RULING**

1. The chamber summons dated 6/11/2025 seeks leave of court to apply for mandamus to compel the Respondents to settle decree in Milimani CMCC E2009/2024 amounting to Kshs.7,285,033.90 with costs as per the judgment rendered on 24/10/2023 and certificate of order against judgment issued on 6/6/2025 and served on the Attorney General on 24/7/2025 vide a demand notice dated 24/7/2025.
2. Decree issued is dated 24/10/2023 and issued on 4/3/2025. I observe the although the Attorney General was sued on behalf of the Government as is required under the law, he is not the judgment debtor and therefore no mandamus can issue against that office which simply represented the Inspector General of Police and the Government Officer Hillary Too.

3. I am satisfied that the applicant has complied with Section 21 of the Government Proceedings Act as far as enforcement proceedings against the Government are concerned.
4. I grant leave to apply for mandamus to compel the Inspector General of Police, the 1<sup>st</sup> Respondent, to settle decree and certificate of order against the Government issued on 5<sup>th</sup> June 2025 for the sum of Kshs.7,285,033.90 which is inclusive of interest and costs as taxed in Milimani CMCC E2009/2021.
5. The main notice of motion to be filed and served within 21 days of this day 10/11/2025 and in a fresh Judicial Review matter.
6. Costs shall be in the substantive motion.
7. This file is closed.

**Dated, Signed and Delivered at Nairobi this 10<sup>th</sup> Day of November, 2025.**

**R.E. ABURILI  
JUDGE**