



**REPUBLIC OF KENYA**

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

**ELC CASE NO. E014 OF 2025**

**ROBERT MUNYOKI KAURA.....1ST  
PETITIONER**

**MWENDA KATHIAKA.....2ND  
PETITIONER**

**MWENGA MUTISYA.....3RD  
PETITIONER**

**PASTOR BENJAMIN MUTHUI .....4TH  
PETITIONER**

**JOSPHAT MAITYA MANZI.....5TH  
PETITIONER**

**SOLOMON MUTUA NGOLO.....6TH  
PETITIONER**

**JAMES MWANZIA MWENGA.....7TH  
PETITIONER**

**=VERSUS=**

**CHIEF, KIGURU LOCATION.....1ST  
RESPONDENT**

**ASSISTANT CHIEF, KIANDA SUB-LOCATION....2ND  
RESPONDENT**

**FRANCIS MUNGATHIA.....3RD  
RESPONDENT**

**KIMATHI KOBIA.....4TH  
RESPONDENT**

**THIRINDI KOBIA .....5TH  
RESPONDENT**

**JEREMIAH MURIUKI .....6TH  
RESPONDENT**

**CYPRIAN MWAMBIA .....7TH  
RESPONDENT**

**JOHANA MARINYA.....8TH  
RESPONDENT**

**STANLEY KARIITHI.....9TH  
RESPONDENT**

**PETER KIMENZU .....10TH  
RESPONDENT**

**COUNTY COMMISSIONER, MERU COUNTY.....11TH  
RESPONDENT**

**MERU COUNTY LAND ADJUDICATION AND  
SETTLEMENT OFFICER .....12TH  
RESPONDENT**

**LAND REGISTRAR, MERU COUNTY.....13TH  
RESPONDENT**

**THE NATIONAL LAND COMMISSION.....14TH  
RESPONDENT**

**THE ATTORNEY GENERAL.....15TH  
RESPONDENT**

**RULING**

**[EX-TEMPORE]**

- 1.** The Attorney General raised an oral objection and invited the court to take into account the fact that two deceased persons had been designated as petitioners. Today, counsel for the petitioners has admitted that the 2nd and 4th petitioners were deceased at the time the petition was initiated in their names. They were deceased at the time the exhibited authority dated 26/11/2025 was signed by impersonators.
- 2.** It is clear from the foregoing that this petition is incurably defective and no amount of amendment can breath life into it. The petition was falsely initiated in the names of deceased persons and was anchored on a falsified authority dated 26/11/2025. The proper thing for the court to do is to strike out the petition and let the petitioners who have capacity approach the court on the platform of a proper competent petition. The petition is hereby struck out.
- 3.** On costs, the five living petitioners who are privy to the ill-fated petition will bear the respondents' costs of the petition. It is so ordered.

**DATED, SIGNED AND DELIVERED AT MERU THIS 18TH DAY  
OF FEBRUARY, 2026**

**B M EBOSO [MR]  
ELC JUDGE**

**In the presence of:**

**Ms Kinyanjui for the 3rd - 10th Respondents.**

**Ms Kasimu holding brief for Mr Sudi for the Petitioners.**

**Ms Wairimu for the 1st, 2nd, 11th, 12th, 13th and 15th  
Respondents.**

**14th Respondent - Absent.**

**Court Assistant - Tupet**