



Kagwai & 4 others (Suing as Representatives of Nachu Trading Centre Welfare Group and the Surrounding Community) v Muinamia & 2 others; County Government Of Kiambu & another (Interested Parties) (Environment and Land Judicial Review Case E029 of 2024) [2026] KEELC 1134 (KLR) (19 February 2026) (Ruling)

Neutral citation: [2026] KEELC 1134 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAIROBI
ENVIRONMENT AND LAND JUDICIAL REVIEW CASE E029 OF 2024
CG MBOGO, J
FEBRUARY 19, 2026**

BETWEEN

**PETER MUIRURI KAGWAI 1ST APPLICANT
JOSEPHINE WAMBUI MBUTHI 2ND APPLICANT
FLACIAH WANJIKU KIHU 3RD APPLICANT
JOHN KARURI 4TH APPLICANT
GEOFFREY KIHUHA 5TH APPLICANT
SUING AS REPRESENTATIVES OF NACHU TRADING CENTRE WELFARE
GROUP AND THE SURROUNDING COMMUNITY**

AND

**SAMUEL NJUGUNA MUINAMIA 1ST DEFENDANT
KIAMBU LAND REGISTRAR 2ND DEFENDANT
THE HON ATTORNEY GENERAL 3RD DEFENDANT**

AND

**COUNTY GOVERNMENT OF KIAMBU INTERESTED PARTY
NATIONAL LAND COMMISSION INTERESTED PARTY**



RULING

1. When I retired to write the ruling in this matter with respect to the notice of motion dated 13th October, 2025 and upon careful perusal of the pleadings filed, I do note that this court lacks territorial jurisdiction to hear and determine the instant application.
2. The orders sought are in reference to the property known as Karai/Lusigetti T438 which is situate within Kiambu county. In that case, the ELC court situate in Thika is best fitted to hear and determine this matter.
3. For the reasons stated above, this court will not pronounce itself on the notice of motion dated 13th October 2025. Instead, this file is hereby transferred to the ELC court in Thika for hearing and determination preferably on priority basis.

It is so ordered.

DATED, SIGNED & DELIVERED VIRTUALLY

THIS 19TH DAY OF FEBRUARY, 2026.

HON. MBOGO C.G.

JUDGE

19/02/2026.

In the presence of:

Ms. Benson Agunga - Court assistant

Plaintiff/Applicant in person

Ms. Karanja for the 1st Defendant /Respondent

No appearance for the 2nd and 3rd Defendants/Respondents

No appearance for the 2nd Interested Party

