



Murima v Land Registrar Murang'a (Environment and Land Case E020 of 2025) [2026] KEELC 1060 (KLR) (20 January 2026) (Ruling)

Neutral citation: [2026] KEELC 1060 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT MURANGA
ENVIRONMENT AND LAND CASE E020 OF 2025**

**MN GICHERU, J
JANUARY 20, 2026**

BETWEEN

GRAE MUTHONI MURIMA APPLICANT

AND

LAND REGISTRAR MURANG'A RESPONDENT

RULING

1. This ruling is on the notice of motion dated 11-8-2025. The motion which is brought under Sections 1A, 1B and 3A of the *Civil Procedure Act*, Order 22 rule 49 of the *Civil Procedure Rules*, Section 70 of the *Land Registration Act* and all enabling provisions of the law seeks two orders.
 2. An order to the Land Registrar Murang'a to lift the prohibitory order issued on 23-1-1974 in Murang'a civil suit No. 26 of 1973, over L.R. no. Loc.8/Nguyoine /1980.
 3. Any other order necessary to facilitate the just, fair, and expedient administration and transmission of the deceased's estate.
2. The motion is based on Seven(7) grounds and is supported by an affidavit sworn by the Applicant dated 11-8-2025. The summary of the motion is as follows. Firstly, the Applicant is the administratrix of the estate of the late Murima Mwaru alias Philip Murima Wamwara. Secondly, the suit land is restricted *vide* an order issued on 18-12-1973 in Civil case no. 26 of 1973 in the District Magistrates Court at Kiharu, Murang'a. Thirdly, the restriction which was put in place due to unpaid dowry ought to be discharged because the decretal sum of Kshs 1500/= was paid in full as evidenced by receipt numbers 678175, 698794, 75683,698558, 698557,678273,730891, 700808, 700426, 677221 and 677145 dated 24-5-1974, 22-10-1974, 10-8-1976, 26-8-1984,18-6-1974, 2-1-1976, 17-1-1975,6-11-1974, 30-4-1974 and 5-4-1974. Finally, for the above and other reasons, the caution ought to be discharged.
 3. Upon consideration of the motion dated 11-8-2025, I find that it has merit for the following reasons. Firstly, there is evidence of settlement of the decree in Murang'a District Magistrate's case no. 26 of



1973 from the copies of receipts attached to the replying affidavit. Even though the amount in the receipts is Kshs. 982/= and not the entire Kshs. 1500/=, it is possible that the other receipts may have been lost or misplaced due to effluxion of time. Secondly, if the estate of Absalom Warui Ngechu had any claim against the estate of Philip Murima Mwara, they would have laid it by now.

4. For the above stated reasons, I order that the Respondent, Land Registrar Murang'a, lifts the prohibitory order dated 23-1-194 issued in Murang'a District Magistrate's Court case no. 26 of 1973 over L.R. no. Loc.8/Ngaru-Nguyoine/180.

Costs in the cause.

It is so ordered.

DATED, SIGNED AND DELIVERED VIRTUALLY AT MURANG'A THIS 20TH DAY OF JANUARY, 2026.

M.N. GICHERU JUDGE.

Delivered online in the presence of; -

Court Assistant – Mwangi Njonjo

Applicant's Counsel – Miss Kivindu

