

REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT VOI
ELCLMISC NO. E014 OF 2025

1. MULEI MATHEKA

2. SULEIMAN FAROUK JOAKIM

.....APPLICANTS

=VERSUS=

1. ATTORNEY GENERAL

2. TAITA TAVETA COUNTY LAND REGISTRAR

3. ODPP TAVETA.....

RESPONDENTS

RULING

1. I have considered the application dated 22nd July 2025. The application seeks orders to compel the Land Registrar to release several documents including the green card, allotment letter, title documents among others to the Applicants to enable them prepare their defence in Taveta Magistrate Criminal Case No. E698 of 2022.

2. The said documents are sought from a public office and the Applicants have not demonstrated or laid a basis for grant of the orders sought. Paragraph I of the Supporting

Affidavit sworn by Mulei Matheka indicates that they seek the said order pursuant to Article 35 of the Constitution. The Applicants have also not demonstrated any compliance to the provisions of the Access to Information Act No. 31 of 2016. The powers of this court can only be invoked if the procedure under the Access to Information Act has been followed and has not elicited any compliance.

3. In the circumstances the court finds no merit in the application. The same is dismissed. Each party to bear own costs.

It is so ordered.

Dated, Signed and Delivered Virtually at Voi this 23rd day of March, 2026.

**E. K. WABWOTO
JUDGE**

In the presence of: -

Ms. Maveke holding brief for Mr. Adika for Applicants.

No appearance for Respondents.

Court Assistant: Mary Ngoira and David Ngoosa.