



**Jotham (Suing as the Administrator of the Estate of Jotham Njagi M’rucha – Deceased) v M’Muga (Sued as the Administrator of the Estate of M’Muga Thaburia – Deceased) & 8 others; Njeruh & 3 others (Interested Parties) (Environment and Land Petition E004 of 2024) [2025] KEELC 5613 (KLR) (25 July 2025) (Ruling)**

Neutral citation: [2025] KEELC 5613 (KLR)

**REPUBLIC OF KENYA  
IN THE ENVIRONMENT AND LAND COURT AT CHUKA  
ENVIRONMENT AND LAND PETITION E004 OF 2024**

**BM EBOSO, J**

**JULY 25, 2025**

**BETWEEN**

**AGNES GATUNE JOTHAM (SUING AS THE ADMINISTRATOR OF THE ESTATE OF JOTHAM NJAGI M’RUCHA – DECEASED) ..... PETITIONER**

**AND**

**WILFRED NYAGA M’MUGA (SUED AS THE ADMINISTRATOR OF THE ESTATE OF M’MUGA THABURIA – DECEASED) ..... 1<sup>ST</sup> RESPONDENT**

**WINFRED KARIMI NJERU ..... 2<sup>ND</sup> RESPONDENT**

**MERCY NJERI KARIUKI ..... 3<sup>RD</sup> RESPONDENT**

**JACKLINE K NYAGA ..... 4<sup>TH</sup> RESPONDENT**

**NELLY NKIROTE NYAGA ..... 5<sup>TH</sup> RESPONDENT**

**DOREEN GATWIRI NYAGA ..... 6<sup>TH</sup> RESPONDENT**

**DOREEN GATWIRI NYAGA ..... 7<sup>TH</sup> RESPONDENT**

**THE LAND REGISTRAR, MERU SOUTH ..... 8<sup>TH</sup> RESPONDENT**

**THE HON ATTORNEY GENERAL ..... 9<sup>TH</sup> RESPONDENT**

**AND**

**JEFFERSON NJAGIH NJERUH ..... INTERESTED PARTY**

**ROSEJOY NJERI NJERU ..... INTERESTED PARTY**

**NICHOLAS KAMUNDI NJERU ..... INTERESTED PARTY**

**ARNORLD GITONGA NJERU ..... INTERESTED PARTY**



## RULING

1. On 22/7/2025, counsel for the petitioner informed the court that the petitioner was not opposed to the application for joinder. Today, counsel for the 1st to the 7th respondents has informed the court that they are not opposed to the application for joinder. The Attorney General was served but has not attended.
2. In the circumstances, the plea for joinder is allowed in terms of prayer 3 of the notice of motion dated 17/7/2025. Costs of the application shall be in the cause.

**DATED, SIGNED AND DELIVERED VIRTUALLY AT CHUKA THIS 25TH DAY OF JULY, 2025.**

**B M EBOSO [MR]**

**JUDGE**

In the Presence of:

Mr. Gathuku for the Petitioner

Mr. Muchiri holding brief for Mr. Kiogora Arithi for the 1st to 7th Respondents.

8th and 9th Respondents – Absent

Ms. Kemboi for the Interested Parties.

