



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NYANDARUA

JUDICIAL REVIEW NO. E005 OF 2025

[Consolidated with JRE006 of 2025, JRE007 of 2025 and JRE008 of 2025]

BETWEEN

MANYONGE WANYAMA & ASSOCIATES LLP..... APPLICANT

AND

THE SECRETARY,

COUNTY GOVERNMENT OF NYANDARUA.....1ST RESPONDENT

THE CHIEF OFFICER OF FINANCE,

COUNTY GOVERNMENT OF NYANDARUA.....2ND RESPONDENT

COUNTY EXECUTIVE COMMITTEE MEMBER FOR FINANCE,

COUNTY GOVERNMENT OF NYANDARUA.....3RD RESPONDENT

RULING

1. In the four applications, the applicant herein moved the court through a Notice of Motion dated 13th day of October 2025. It was brought under Order 53, Rules 1, 2 and 4 of the Civil Procedure Rules. The applicant in JR E005 of 2025 is seeking the following orders:

- a) An order of mandamus be issued compelling the respondents to pay the applicant the decretal sum arising from the High Court in Nyandarua HCCCMISC/E008/2025: Manyonge Wanyama & Associates LLP vs The County Assembly of Nyandarua & others [emanating from Nyandarua Misc. Application No. E037 of 2024: Manyonge Wanyama & Associates LLP vs The County Government of Nyandarua) and as set out in the certificate for order for costs against the Government issued on 11th August 2025 in the sum of Kenya Shillings Seven Hundred Sixty-Six Thousand Seventeen and Sixty Cents (Kshs. 766,017.60) together with all accruing interest until payment in full.

- b) Costs of this application be provided for.

2. The application was premised on the following grounds:

- a) That through the letter of instructions of 27th February 2023, the applicant was instructed to represent the County Government of Nyandarua in Nyahururu High Court Petition No 2 of 2023: Nyandarua Saw Millers Association suing through its officials – vs - the County Government of Nyandarua.
- b) The applicant herein filed an advocate-client bill of costs dated 2nd October 2024 in Nyandarua Misc. Application No. E037 of 2024: Manyonge Wanyama & Associates LLP -versus - The County Government of Nyandarua arising from Nyahururu High Court Petition No. 2 of 2023: Nyandarua Saw Millers Association suing through its official -versus- the County Government of Nyandarua.
- c) Subsequently, in her ruling, Hon. Lynn A. Mwera, Deputy Registrar of the High Court at Nyandarua, taxed and allowed the said Bill of Costs at Kenya Shillings Seven Hundred Sixty-Six Thousand Seventeen and Sixty Cents (Kshs. 766,017.60)
- d) Thereafter, the applicant extracted the Certificate of Taxation dated 13th March 2025.
- e) On 20th March 2025, the applicant filed a notice of motion dated 19th March 2025 in Nyandarua HCCCMISC/E008/2025: Manyonge Wanyama & Associates LLP- versus - The County Assembly of Nyandarua & others, seeking to have the Certificate of Taxation dated 13th March 2025, issued by Hon. Lynn A. Mwera, adopted as a judgment of the court against the respondents in Nyandarua Misc. Application No. E037 of 2024 Manyonge Wanyama & Associates LLP- versus- The County Government of Nyandarua arising from Nyahururu High Court Petition No. 2 of 2023 Nyandarua Saw Millers Association suing through its officials - vs -the County Government of Nyandarua.
- f) On 10th June 2025, Justice W. Kiarie of the High Court at Nyandarua delivered a ruling allowing the applicant's application. Consequently, the Court entered judgment against the respondents jointly and severally in the sum of Kenya Shillings Seven Hundred Sixty-Six Thousand Seventeen and Sixty Cents (Kshs. 766,017.60) with interest accruing on the decretal sum from the date of taxation.
- g) The applicant thereafter extracted a court order to that effect and subsequently obtained a Certificate for Order for Costs Against the Government dated 12th June 2025 and 11th August 2025, respectively.

- h) Pursuant to Section 21(1) of the Government Proceedings Act, Cap 40 Laws of Kenya, the applicant, through a Statutory Notice dated 12th August 2025, demanded satisfaction of the Certificate for Order for Costs Against the Government by payment of the decretal sum into the applicant's account within Twenty-One (21) days.
 - i) On 12th August 2025, the applicant served the respondents with the said Statutory Notice via electronic mail and subsequently effected personal service at the respondents' offices on 19th August 2025, where receipt was duly acknowledged by stamping on the applicant's copies.
 - j) On 1st September 2025, the applicant filed an Affidavit of Service, sworn on the same date by the Managing Partner, Mr Peter Wanyama, as proof of service of the statutory notice upon the respondents.
 - k) The twenty-one (21) day statutory period for effecting payment has since lapsed, yet the respondents have not settled the decretal sum payable to the applicant.
 - l) Subsequently, the applicant filed an application dated 25th September 2025 seeking leave to file a substantive application for an order of mandamus to compel payment by the respondents.
3. The applicant in JR E006 of 2025 is seeking the following orders:
- a) An order of mandamus be issued compelling the respondents to pay the applicant the decretal sum arising from the High Court in Nyandarua HCCCMISC/E007/2025: Manyonge Wanyama & Associates LLP vs the County Assembly of Nyandarua & others [emanating from Nyandarua Misc. Application No. E039 of 2024: Manyonge Wanyama & Associates LLP vs The County Government of Nyandarua) and as set out in the certificate for order for costs against the Government issued on 11th August 2025 in the sum of Kenya Shillings Five Hundred Eighty Thousand Nine Hundred Seventy-Two and Eight cents (Kshs. 580,972.08) together with all accruing interest until payment in full.
 - b) Costs of this application be provided for.
4. The application is premised on the following grounds:
- a) That through the letter of instructions of 14 July 2023, the applicant was instructed to represent the County Government of Nyandarua in Nyahururu High Court Petition No 6 of 2023: Florence Wanjiku Githua & 19 others -vs - the County Government of Nyandarua.

- b) The applicant herein filed an advocate-client bill of costs dated 27th September 2024 in Nyandarua Misc. Application No. E039 of 2024: Manyonge Wanyama & Associates LLP -versus - The County Government of Nyandarua arising from Nyandarua High HCC Petition No. 4 of 2023 formerly Nyahururu HCC Petition 6 of 2023: Florence Wanjiku Githua 19 Others -versus- the County Government of Nyandarua.
- c) Subsequently, in her ruling, Hon. Lynn A. Mwera, Deputy Registrar of the High Court at Nyandarua, taxed and allowed the said Bill of Costs at Kenya Shillings Five Hundred Eighty Thousand Nine Hundred Seventy-Two and Eight cents (Kshs. 580,972.08)
- d) Thereafter, the applicant extracted the Certificate of Taxation dated 13th March 2025.
- e) On 20th March 2025, the applicant filed a notice of motion dated 19th March 2025 in Nyandarua HCCCMISC/E007/2025: Manyonge Wanyama & Associates LLP- vs - The County Assembly of Nyandarua & others, seeking to have the Certificate of Taxation dated 13th March 2025, issued by Hon. Lynn A. Mwera, adopted as a judgment of the court against the respondents in Nyandarua Misc. Application No. E039 of 2024 Manyonge Wanyama & Associates LLP- versus- the County Government of Nyandarua arising from Nyahururu HCC Petition No. 4 of 2023 formerly Nyahururu HCC Petition No. 6 of 2023: Florence Wanjiku Githua & 19 others – vs – the County Government of Nyandarua.
- f) On 10th June 2025, Justice W. Kiarie of the High Court at Nyandarua delivered a ruling allowing the applicant's application. Consequently, the Court entered judgment against the respondents jointly and severally in the sum of Kenya Shillings Five Hundred Eighty Thousand Nine Hundred Seventy-Two and Eight cents (Kshs. 580,972.08) with interest accruing on the decretal sum from the date of taxation.
- g) The applicant thereafter extracted a court order to that effect and subsequently obtained a Certificate for Order for Costs Against the Government dated 12th June 2025 and 11th August 2025, respectively.
- h) Pursuant to Section 21(1) of the Government Proceedings Act, Cap 40 Laws of Kenya, the applicant, through a Statutory Notice dated 12th August 2025, demanded satisfaction of the Certificate for Order for Costs Against the

Government by payment of the decretal sum into the Applicant's account within Twenty-One (21) days.

- i) On 12th August 2025, the applicant served the respondents with the said Statutory Notice via electronic mail and subsequently effected personal service at the respondents' offices on 19th August 2025, where receipt was duly acknowledged by stamping on the applicant's copies.
 - j) On 1st September 2025, the applicant filed an affidavit of service, sworn on the same date by the Managing Partner, Mr Peter Wanyama, as proof of service of the statutory notice upon the respondents.
 - k) The twenty-one (21) day statutory period for effecting payment has since lapsed, yet the respondents have not settled the decretal sum payable to the applicant.
 - l) Subsequently, the applicant filed an application dated 25th September 2025 seeking leave to file a substantive application for an order of mandamus to compel payment by the respondents.
 - m) On 6th October 2025, Justice W. Kiarie allowed the said application in chambers. In his court Order of 8th October 2025, he granted the *ex parte* applicant leave to file a substantive application for an order of mandamus to compel payment by the respondents.
5. In JR E007 of 2025, the applicant is seeking the following orders:
- a) An order of mandamus be issued compelling the respondents to pay the applicant the decretal sum arising from the High Court in Nyandarua HCCCMISC/E006/2025: Manyonge Wanyama & Associates LLP vs the County Assembly of Nyandarua & others [emanating from Nyandarua Misc. Application No. E001 of 2024: Manyonge Wanyama & Associates LLP vs The County Government of Nyandarua) and as set out in the certificate for order for costs against the Government issued on 11th August 2025 in the sum of Kenya Shillings one million, three hundred forty thousand, six hundred fifty-five and eighty-two cents (1,340,655.82) together with all accruing interest until payment in full.
 - b) Costs of this application be provided for.
6. The application is premised on the following grounds:
- a) The *ex parte* applicant herein filed an advocate-client bill of costs dated 27th September 2024 in Nyandarua Misc. Application No. E039 of 2024: Manyonge Wanyama & Associates LLP- versus - the County Government of Nyandarua

arising from Nyandarua HCC Petition No. 4 of 2023 formerly Nyahururu HCC Petition No. 6 of Florence Wanjiku Githua & 19 Others versus the County Government of Nyandarua.

- b) Subsequently, in her ruling, Hon. Lynn A. Mwera, Deputy Registrar of the High Court at Nyandarua, taxed and allowed the said bill of costs at Kenya Shillings Five Hundred Eighty Thousand Nine Hundred Seventy-Two and Eight Cents (580,972.08).
- c) Thereafter, the ex parte applicant extracted the Certificate of Taxation dated 13th March 2025.
- d) On 20th March 2025, the ex parte applicant filed a notice of motion dated 19th March 2025 in Nyandarua HCCCMISC/E007/2025: Manyonge Wanyama & Associates LLP - vs- the County Assembly of Nyandarua & others, seeking to have the certificate of taxation dated 13th March 2025, issued by Hon. Lynn A. Mwera, adopted as a judgment of the court against the respondents in Nyandarua Misc. Application No. E039 of 2024: Manyonge Wanyama & Associates LLP versus the County Government of Nyandarua arising from Nyandarua HCC Petition No. 4 of 2023 formerly Nyahururu HCC Petition No. 6 of 2023: Florence Wanjiku Githua & 19 Others – vs- the County Government of Nyandarua.
- e) On 10th June 2025, Justice W. Kiarie of the High Court at Nyandarua delivered a ruling allowing the ex parte applicant's application. Consequently, the court entered judgment against the respondents jointly and severally in the sum of Kenya Shillings Five Hundred Eighty Thousand Nine Hundred Seventy-Two and Eight Cents (580,972.08) with interest accruing on the decretal sum from the date of taxation.
- f) The ex parte applicant thereafter extracted a court order to that effect and subsequently obtained a certificate for order for costs against the Government dated 12th June 2025 and 11th August 2025, respectively.
- g) Pursuant to Section 21(1) of the Government Proceedings Act, Cap 40 Laws of Kenya, the ex parte applicant, through a Statutory Notice dated 12th August 2025, demanded satisfaction of the Certificate for Order for Costs Against the Government by payment of the decretal sum into the applicant's account within Twenty-One (21) days.
- h) On 12th August 2025, the ex parte applicant served the respondents with the said Statutory Notice via electronic mail and subsequently effected personal service at

the respondents' offices on 19th August 2025, where receipt was duly acknowledged by stamping on the applicant's copies.

- i) On 1st September 2025, the ex parte applicant filed an affidavit of service, sworn on the same date by the managing partner, Mr Peter Wanyama, as proof of service of the statutory notice upon the respondents.
- j) The twenty-one (21) day statutory period for effecting payment has since lapsed, yet the respondents have not settled the decretal sum payable to the ex parte applicant.
- k) The ex parte applicant has a reasonable belief that unless this honourable court grants leave to file a substantive motion for an order of mandamus compelling the respondents to pay the decretal sum, the said amount will remain unsatisfied to the detriment of the ex parte applicant.

7. Whereas in JR E008 of 2025, the applicant is seeking the following orders:

- a) An order of mandamus be issued compelling the respondents to pay the applicant the decretal sum arising from the High Court in Nyandarua HCCCMISC/E006/2025: Manyonge Wanyama & Associates LLP - vs the County Assembly of Nyandarua & others [emanating from Nyandarua Misc. Application No. E00I of 2024: Manyonge Wanyama & Associates LLP- vs- the County Government of Nyandarua) and as set out in the Certificate for Order for Costs Against the Government issued on 11th August 2025 in the sum of Kenya Shillings One Million, Three Hundred Forty Thousand, Six Hundred Fifty-Five and Eighty-Two Cents. (1,340,655.82), together with all accruing interest until payment in full.
- b) Costs of this application be provided for.

8. The application is premised on the following grounds:

- a) That through the letter of instructions of 24th July 2023, the applicant was instructed to represent the County Government of Nyandarua in Nyahururu High Court Petition No 7 of 2023: Joseph Maina Njuguna & 16 others - vs- the County Government of Nyandarua.
- b) The applicant herein filed an advocate-client bill of costs dated 1st October 2024 in Nyandarua Misc. Application No. E001 of 2024: Manyonge Wanyama & Associates LLP versus the County Government of Nyandarua, arising from Nyandarua HCC Petition No. E007 of 2023, formerly Nyahururu HCC Petition No. E006 of 2023: Joseph Maina Muigana & 16 others -vs- the County Government of Nyandarua.

- c) Subsequently, in her ruling, Hon. Lynn A. Mwera, Deputy Registrar of the High Court at Nyandarua, taxed and allowed the said bill of costs at Kenya Shillings One Million, Three Hundred Forty Thousand, Six Hundred Fifty-Five and Eighty-Two Cents. (1,340,655.82)
- d) That thereafter, the applicant extracted the Certificate of Taxation dated 13th March 2025.
- e) On 20th March 2025, the applicant filed a notice of motion dated 19th March 2025 in Nyandarua HCCCMISC/E006/2025: Manyonge Wanyama & Associates LLP - vs.-the County Assembly of Nyandarua & others, seeking to have the certificate of taxation dated 13th March 2025, issued by Hon. Lynn A. Mwera, adopted as a judgment of the court against the respondents in Nyandarua Misc. Application No. E001 of 2024: Manyonge Wanyama & Associates LLP versus the County Government of Nyandarua, arising from Nyandarua HCC Petition No. E007 of 2023, formerly Nyahururu HCC Petition No. E006 of 2023: Joseph Maina Muigana & 16 others -vs- the County Government of Nyandarua.
- f) On 10th June 2025, Justice W. Kiarie of the High Court at Nyandarua delivered a ruling allowing the applicant's application. Consequently, the court entered judgment against the respondents jointly and severally in the sum of Kenya Shillings One Million, Three Hundred Forty Thousand, Six Hundred Fifty-Five and Eighty-Two Cents. (1,340,655.82) with interest accruing on the decretal sum from the date of taxation.
- g) The applicant thereafter extracted a court order to that effect and subsequently obtained a Certificate for Order for Costs Against the Government dated 12th June 2025 and 11th August 2025, respectively.
- h) Pursuant to Section 21(1) of the Government Proceedings Act, Cap 40 Laws of Kenya, the Applicant, through a Statutory Notice dated 12th August 2025, demanded satisfaction of the Certificate for Order for Costs Against the Government by payment of the decretal sum into the Applicant's account within Twenty-One (21) days.
- i) On 12th August 2025, the applicant served the respondents with the said Statutory Notice via electronic mail and subsequently effected personal service at the respondents' offices on 19th August 2025, where receipt was duly acknowledged by stamping on the applicant's copies.

- j) On 1st September 2025, the applicant filed an affidavit of service, sworn on the same date by the Managing Partner, Mr Peter Wanyama, as proof of service of the statutory notice upon the respondents.
 - k) The twenty-one (21) day statutory period for effecting payment has since lapsed, yet the respondents have not settled the decretal sum payable to the applicant.
 - l) Subsequently, the applicant filed an application dated 25th September 2025 seeking leave to file a substantive application for an order of mandamus to compel payment by the respondents.
 - m) On 6th October 2025, Justice W. Kiarie allowed the said application in chambers. In his court Order of 8th October 2025, he granted the ex parte applicant leave to file a substantive application for an order of mandamus to compel payment by the respondents.
9. The respondents were served, but they did not file any grounds of opposition to the applications.
10. The indebtedness having not been denied, I find that the applications are merited. I, therefore, allow the applications in terms of prayers (a) and (b).

Delivered and signed at Nyandarua, this 20th day of April 2026

KIARIE WAWERU KIARIE

JUDGE