

**REPUBLIC OF KENYA**  
**IN THE HIGH OF KENYA AT MERU**  
**CONSTITUTIONAL AND HUMAN RIGHTS DIVISION**  
**PETITION NO. E030 OF 2025**

**THOMAS            MWIRARIA            MURITHI.....**  
**.....PETITIONER**

**VERSUS**

**THE CATHOLIC DIOCESE OF MERU & 6 OTHERS.**  
**.....RESPONDENTS**

**AND**

**FRIDAH KANANU .....1<sup>ST</sup> INTERESTED**  
**PARTY**

**AUSTIN MWENDA ..... 2<sup>ND</sup> INTERESTED**  
**PARTY**

**BRIDGET KINYA .....3<sup>RD</sup> INTERESTED**  
**PARTY**

**RULING**

1. Exparte orders were issued in this matter on 5/10/2025.

There are accumulating bills at the morgue where the body is preserved of which we are told is upto the tune of 415,800/-.

2. Since 16<sup>th</sup> April, 2026 Mr. Oriku for the Petitioner does not attend Court and neither does the Petitioner himself attend. They appear to have lost interest in the Petition but are shy of indicating so. Pendency of the Petition is wasting Court's and parties time and other resources. There's need to bring it to an end. Postmortem was done and probably there's no pending issue in relation to disposal of the deceased's body.

3. In the light of the foregoing I do vacate the orders of 5/10/2025 and dismiss the Petition with costs to 1<sup>st</sup> and 2<sup>nd</sup> Respondents.

**DATED AND DELIVERED AT MERU THIS 14<sup>TH</sup> DAY OF MAY, 2026.**

**S.M. GITHINJI -JUDGE**

**14/5/2026**