



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT NAKURU**  
**JUDICIAL REVIEW E013 OF 2025**

REPUBLIC ----- EX-PARTE

APPLICANT

AGAINST

THE PRINCIPAL SECRETARY, MINISTRY OF EDUCATION,  
SCIENCE AND TECHNOLOGY

----- 1<sup>ST</sup> RESPONDENT

THE PRINCIPAL, MAWE MIXED DAY SECONDARY  
SCHOOL ----- 2<sup>ND</sup>

RESPONDENT

AND

ATTORNEY GENERAL -----

INTERESTED PARTY

**JUDGMENT**

1. On 25/10/2025 the Ex-parte Applicant was granted leave to bring an Application for the Judicial Review Order of *mandamus* against the Respondents. Pursuant to the leave, he filed a Notice of Motion dated 27/10/2025 praying for

these orders;-

- 1. THAT an order of mandamus do issue compelling the 1<sup>st</sup> and 2<sup>nd</sup> Respondents jointly and severally to pay the Applicant the judgement debt in the sum of Kshs. 2,954,391/- (being principal of Kshs. 1,694,000/= and interest of Kshs. 1,260,391/= arising from the decree made on 13 June 2024 in Nakuru CMCC No. E559 of 2021), together with assessed costs of Kshs. 224,725/= making a total of Kshs. 3,179,116/=, together with any interest thereon.**
  - 2. THAT further interest on the decretal sum be paid at 12% per annum from 13 June 2024 until the date of payment in full.**
  - 3. THAT the said payment be made within 30 days and in default, unless there is an order to the contrary, a Notice to Show Cause do issue against the 1<sup>st</sup> and 2<sup>nd</sup> Respondents jointly and severally why they should not be cited for contempt of Court.**
  - 4. THAT the Respondents pay the ex parte Applicant's costs of this Application.**
2. Despite evidence of service of the Application upon them as per Return of Service filed, the Respondents and the Interested Party have not filed any replies. The Application is therefore deemed as unopposed.

3. The Application is allowed in terms of prayers 1, 2 and 4. Regarding prayer 3, the Applicant needs to serve the Decree/Order for compliance in default of which he may seek enforcement.
4. Judgement accordingly.

**J.M. NANG'EA - JUDGE.**

**Judgement Delivered virtually this 11<sup>h</sup> day of May, 2026.**

**In the presence of:**

**Mr. Magata Advocate for the Ex-parte Applicant  
Respondents, Absent  
Court Assistant (Jeniffer)**

**J.M. NANG'EA - JUDGE.**