



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC PETITION CASE NO. 04 OF 2019

IN THE MATTER OF LAND PARCEL NO. MWIMBI/MUGUMANGO/594

AND

IN THE MATTER OF ARTICLES 40 AND 165 OF THE CONSTITUTION OF KENYA, 2010

BETWEEN

NYAGA MUCHIRI1ST PETITIONER

PURITY MWATHOKO2ND PETITIONER

VERSUS

THOMAS NJIRU KANYUNGA.....1ST RESPONDENT

MICHERU KANYUNGA.....2ND RESPONDENT

DISTRICT LAND ADJUDICATION & SETTLEMENT

OFFICER MERU SOUTH.....3RD RESPONDENT

LAND REGISTRAR, MERU SOUTH.....4TH RESPONDENT

CHIEF LAND REGISTRAR.....5TH RESPONDENT

THE HONOURABLE ATTORNEY GENERAL.....6TH RESPONDENT

RULING

1. For the second time the Petitioners and their advocate did not come to court. There is no evidence that the petition has been served upon the respondents.
2. The following orders are issued:
 1. The application dated **9th October, 2019** is dismissed and *ex parte* orders granted on **16th October, 2019** are vacated.
 2. The petitioners to serve the petition upon the respondents and to file and exchange written submissions within 21 days of today.
3. The respondents to respond to the petition within 21 days of today and to file and exchange their written submissions within 21 days after expiry of the period granted to the petitioners to file and exchange their written submissions.
4. Parties to come to court for directions on **16.12.2019**.
5. Orders issued today to be served upon the parties by this court's Deputy Registrar.

Delivered in open Court at Chuka this **30th day of October, 2019** in the presence of:

CA: Ndegwa

Nyaga Muchiri absent – 1st Petitioner

Purity Mwathoko – absent – 2nd Petitioner

Thomas Njiru 1st Respondent – absent

Micheru Kanyunga 2nd Respondent -absent

P. M. NJORGE,

JUDGE.