

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MERU

ELC CASE NO. 149 OF 2017 (OS)

MARK KITHINJI MBATIAH APPLICANT

VERSUS

WILBUR EARL HIGHTOWER JR DEFENDANT/RESPONDENT

RULING

1. The notice of motion dated 28.8.2019 was seeking orders that the Land Registrar Meru Lands Registry be authorized to dispense with the title deed to obey and confirm with the order of this court as per the decree issued on 17th October, 2018 and dated 3rd December, 2018 and costs of the application.
2. The application was based on the grounds that the plaintiff/applicant submitted this courts decree to the lands office and paid all the requisite fees but the land registrar said since the land was registered and the original title deed is not available he needed an order to dispense with the same and therefore prays for the court's intervention.
3. I have perused the application dated 28.8.2019. The same is merited and I allow the same as drawn.

DATED, SIGNED AND DELIVERED IN OPEN COURT AT MERU THIS 13TH DAY OF NOVEMBER, 2019 IN THE PRESENCE OF:-

C/A: Kananu

Rimita for plaintiff

Applicant

HON. LUCY. N. MBUGUA

ELC JUDGE