

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MERU

ELC CASE 325 OF 2017

JERUSHA KANARIO MAINGI (suing as next friend of

SAMUEL M'MAINGI M'LAARU)PLAINTIFF/RESPONDENT

VERSUS

MARTIN MURITHI MAINGI.....1ST DEFENDANT

LAND REGISTRAR MAUA LAND REGISTRY.....2ND DEFENDANT

TABITHA KANINI MAINGI3RD DEFENDANT

EZEKIEL MUTURA MANYARA.....INTENDED 4TH DEFENDANT

RULING

1. The application filed on 19.12.2017 is yet to be argued. However on 14.5.2018, counsel for applicant requested for interim orders to be extended as against 2nd defendant. Ostensibly because the land was transferred to 2nd defendant. However, the interim orders issued by this court vide the court's ruling of 16.1.2018 were issued against the land registrar Maua land registry and this was meant to ensure that the land is not alienated. I therefore fail to understand what application counsel meant by saying that interim orders should be extended because the land was transferred to 2nd defendant.

2. Despite the foregoing, I will still extend the interim orders issued on 16.1.2018 as against the land registrar for purposes of ensuring that the land is not alienated.

DATED, SIGNED AND DELIVERED IN OPEN COURT AT MERU THIS 22ND DAY OF MAY, 2018

IN THE PRESENCE OF:-

Court Assistant: Janet/Galgalo

Ndungu for plaintiff

Hashi holding brief for Thangicia for 3rd & 4th defendants

Ojiambo holding brief for Ngunjiri M. for 1st defendant present

2nd defendant has never entered appearance

HON. LUCY. N. MBUGUA

ELC JUDGE