



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT CHUKA

CHUKA ELC CASE NO 39 OF 2017

FORMERLY MERU PETITION NO. 2 OF 2016

IN THE MATTER OF: THE CONSTITUTION OF KENYA

AND

IN THE MATTER OF ARTICLES 10, 20, 21, 22, 27 & 40

AND

IN THE MATTER OF: THE DOCTRINE OF LEGITIMATE EXPECTATION

AND

IN THE MATTER OF: THE CONSTITUTION OF KENYA (SUPERVISORY JURISDICTION AND PROTECTION OF FUNDAMENTAL RIGHTS AND FREEDOMS OF THE INDIVIDUAL,

HIGH COURT PRACTICE & PROCEDURE RULES, 2006

AND

IN THE MATTER OF: THE LAND ADJUDICATION ACT 284 LAWS OF KENYA

BETWEEN

STANLEY MUTEKI G. MUGUONGO.....1ST PETITIONER

**LAMECK MATI EDWARD (suing as the legal representative of Edward Rutere)
.....2ND PETITIONER**

KANAMPIU M'MURITHI KABURI.....3RD PETITIONER

JUSTUS KIRUKI MUNYUA.....4TH PETITIONER

VERSUS

THE COUNTY GOVERNMENT OF THARAKA NITHI.....1ST RESPONDENT

THE ATTORNEY GENERAL.....2ND RESPONDENT

RULING

1. Notice was properly issued for parties to come to court on 20.3.2017 to show cause why this suit should not be dismissed for want of prosecution in terms of order 17 rule 2(1) of the Civil Procedure Rules.
2. On 20.3.2017, the parties did not come to court to show cause why this suit should not be dismissed.
3. I do note that since the suit was filed the matter has never been placed before a judge or any other judicial officer.
4. I find that the parties have failed to come to court to show cause why this suit should not be dismissed. Therefore, no cause has been shown to the satisfaction of the court that this should **NOT** be dismissed.
5. In the circumstances, this suit is dismissed.
6. It is so ordered.
7. Delivered in open court at Chuka this 20th day of March, 2017 in the presence of:

CA: Ndegwa

Parties absent

P. M. NJOROGE,

JUDGE.