

REPUBLIC OF KENYA

IN THE ENVIRONMENT & LAND COURT AT MAKUENI

ELC MISC. APPLICATION NO. 1 OF 2017

**IN THE MATTER OF AN APPLICATION BY JOEL MUTUKU MUSANGO, DAVID MWANDAU, DANIEL KIILU MUSANGO
AND JOHN MWAU MUSANGO**

**IN THE MATTER OF: THE DECISION BY THE DEPUTY COUNTY COMMISSIONER MAKINDU SUB- COUNTY,
MAKUENI COUNTY**

IN THE MATTER OF: APPEAL NO.13 OF 1990 TO THE MINISTER OF LANDS

AND

IN THE MATTER OF: THE LAND ADJUDICATION PLOTS NO.1303, 1204 AND 1281

EXPARTE: JOEL MUTUKU MUSANGO, DAVID MWANDAU, DANIEL KIILU MUSAGO

& JOHN MWAU MUSANGO.....APPLICANTS

RULING

I have read the chamber summons application dated 24/2/2017 together with the annexures hereto. I have also heard Mr. Muia for the applicant. I am satisfied that the application has merits. In the circumstances, I hereby proceed to grant prayers 1, 2 and 3 which read as follows:

That an order of prohibition against the Deputy Commissioner and or his/ agents be issued to prohibit the District Surveyor from entering and or sub diving plot number 1303 Kaliu Makindu Adjudication section prayed 4 is also granted. The application should be made within 21 days.

Signed, Dated and Delivered this 20th day of April, 2017

MBOGO C.G

JUDGE

In the presence of:

Mr. Kwemboi court assistant

Mr. Muia for the applicant present

MBOGO C.G

JUDGE

20/4/2017