



REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT MERU
ELC CASE NO. 292 OF 2013
EVANGELINE MWENDWA.....PLAINTIFF
VERSUS
AMBROSE KAUMBUTHU.....1ST DEFENDANT
LATANI THARICHIA.....2ND DEFENDANT
CYPRIAN M'LITHUMAI.....3RD DEFENDANT

R U L I N G

1. The ruling is in respect of the application dated 21:11:16. The same seeks orders :-

1. THAT this Honourable Court do order and direct the District Land Surveyor Meru North District (Nyambene) and the Land Registrar to show the Applicant on the ground the boundaries of land parcel No. ATHING'A /ATHANJA/6903 Athing'a Athanja land Adjudication Section under the security of the Officer commanding Station Tigania Police Station.
2. That this Honorable Court do issue such further or better orders as will meet the ends of justice.
3. That the costs of this application be provided for.

2. There is also Supporting Affidavit of one Evangeline Mwendwa , where she states:-

1. That she is the Applicant/Plaintiff herein hence competent to make and swear this affidavit
2. That Judgment was issued in her favour by this Honourable Court on 24th September, 2014 and a decree issued on 13th November, 2014 as per copy of the decree.
3. That the notice of entry of judgment was served upon defendants.
4. That the decree was also served upon the O.C.S. Tigania Police Station but he could not evict the Defendant's as he was not able to ascertain the exact location and boundaries of the suitland.
5. That upon visiting the District Surveyor , Meru North (Nyambene) and the Land Registrar's office for purposes of showing them the boundaries, the officer indicated that he could not do so unless ordered by the Court.
6. That she prays that the District Lands Surveyor Meru North District be directed and ordered to show her and the O.C.S Tigania Police Station the exact location and boundaries of Land Parcel

No. Athing'a /Athanja/6903 Adjudication Section for purposes of executing the decree dated 13th November, 2014 .

3. The application is almost similar to an earlier one of 17/09/15. In the present application, Applicant wants the land surveyor and Land Registrar to be the implementing Officers. I find that the application is merited. The application is allowed but plaintiff is to meet the costs appertaining to the implementation of the Court Order.

DELIVERED, DATED AND SIGNED AT MERU THIS 12TH DAY OF JULY, 2017

IN THE PRESENCE OF:

C:A Janet

All parties absent

HON. L. N. MBUGUA

ELC JUDGE