



REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MERU

MISC.CIVIL APP. NO. 46 OF 2008

IN THE MATTER OF AN APPLICATION FOR JUDICIAL REVIEW ORDERS OF CERTIORARI /

PROHIBITION AGAINST THE MERU CENTRAL LAND DISPUTES TRIBUNAL –NKUENE DIVISION

AND

IN THE MATTER OF SECTIONS 8 & 9 OF THE LAW REFORM ACT (CAP 26 L.O.K

AND

IN THE, MATTER OF REGISTERED LAND ACT DISPUTES TRIBUNAL CASE NO.3 OF 2008

AND

IN THE MATTER OF MERU CHIEF MAGISTRATE LDT NO. 20 OF 2008

AND

IN THE MATTER OF LAND PARCEL L.R NO. NKUENE/URUKU/561

REPUBLIC.....APPLICANT

VERSUS

THE CHAIRMAN MERU CENTRAL LAND

DISPUTES TRIBUNAL.....1ST RESPONDENT

LAND SISPUTES TRIBUNAL (NKUENE DIVISION).....2ND RESPONDENT

NICODEMUS GITUMA RUKARIA.....INTERESTED PARTY

PETER MURITHI RUKARIA.....EX-PARTE

CONSENT/JUDGMENT

1. On 24th May, 2017, the Advocates for the parties and the State Counsel in this matter proffered the following Consent, which they asked the Court to adopt as its Judgment.

"BY CONSENT

(1) That the Ex-Parte applicant's application dated 8th July 2008 be allowed.

(2) That an order of Certiorari be issued to call for and quash the decision and/or award of the Meru Central District Land Disputes Tribunal-Nkuene Division Case No. 3 of 2008 dated 31/3/2008.

(3) That the Ex-parte Applicant to allow the interested party to occupy a portion of land measuring ¼ acre in his land parcel LR.NO.

NKUENE/URUKU/561 pending sub-division and distribution of the same between the Ex-parte Applicant children.

(4) That each party to bear its own costs for the suit”.

2. I find that the Consent is properly signed and is binding upon the parties.

3. A consent Judgment dated 24:05:17 is hereby adopted as a Judgment of the Court.

4. The Suit is marked as settled. File to be taken to the archives.

5. Parties shall bear their own costs.

6. It is so ordered.

DELIVERED IN OPEN COURT AT MERU THIS 13TH DAY OF DECEMBER, 2017 IN THE PRESENCE OF:-

C.A: Janet

Kithinji for Ex-Parte Applicant present

Kiango for 1st and 2nd Respondent present

Interested Party in person present

HON. L. N. MBUGUA

ELC JUDGE