



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT MERU
ENVIRONMENT AND LAND COURT
CIVIL CASE NO. 76 OF 2015

CATHERINE KAGENI.....1ST PLAINTIFF
 CECILIA MAKEMBO2ND PLAINTIFF
 EVANS MWITI.....3RD PLAINTIFF
 JOSEPH KAARIA.....4TH PLAINTIFF
 BRIDGET IHERU.....5TH PLAINTIFF
 PENINIAH MAGIRI.....6TH PLAINTIFF

VERSUS

THE COUNTY GOVERNMENT OF MERUDEFENDANT

J U D G M E N T

1. In their Plaint dated 2nd September, 2016, the Plaintiffs jointly and severally pray for judgment against the defendant for:-

- a) *An order of injunction restraining the defendant by its officials, agents, constructors or anybody else acting at its behalf from evicting, demolishing the Plaintiffs' houses/stalls standing on the defendant's property known as 491/ ANGAINE ESTATE situated within Meru County until the plaintiffs are fully compensated of their doors and windows upon issuance of valid and lawfully (sic) notice to the plaintiffs terminating tenancy pursuant to the provision of section 4 (2) and (6) of the Landlord and Tenant (shops, hotels and catering establishments) Act Cap 301 laws of Kenya.*
- b) *Costs and interest of the suit.*
- c) *Any other better relief the honourable court deems fit and just to grant.*

2. On 20th December, 2016, the parties proffered a Consent, properly signed by their Advocates, which was in the following terms:-

RE-CONSENT

“Kindly record the following Consent order:-

That by Consent of all parties the parties herein this matter be settled on the following terms:-

1. That the Defendant do pay all the Plaintiffs a total of Kshs. 1,600,000/= all inclusive payable upon execution and signing of this consent.

2. That the current residents (Plaintiffs) families to vacate the suit land within the next 60 days from the date of signing this consent.

3. That upon signing of this consent this suit be marked as settled.

4. That each party to bear their own costs.

3. The consent is adopted as an order of this Court.

4. This suit is marked as settled and should be removed from the record of pending suits.

5. It is so ordered.

DELIVERED IN OPEN COURT AT MERU THIS 20TH DAY OF DECEMBER, 2016 IN THE PRESENCE OF:-

C:A Daniel /James

Kiogora Mugambi for the Plaintiffs

C.B Mwangela for the Defendant

P. M. NJOROGE

JUDGE