



**REPUBLIC OF KENYA**  
**IN THE ENVIRONMENT AND LAND COURT AT MERU**

**E&L CASE NO. 116 OF 2014**

JOYCE MUTHENYA M'IMANA.....PLAINTIFF

VERSUS

COUNTY GOVERNMENT OF MERU.....DEFENDANT

**RULING**

1. The defendant's Notice Preliminary Objection on points of law is dated 13th March, 2016 and was filed on the same day.

2. The Preliminary Objection is in the following terms:-

*TAKE NOTICE that when this matter comes up for hearing , the Defendant shall raise a Preliminary Objection on a point of Law on the following grounds;*

***(1) THAT the plaintiff's suit is in contravention of section 8(1) of the Land Consolidation Act.***

***(2) THAT the suit is bad in Law and it should be struck out with costs.***

3. On 08/12/2016, the parties proffered a Consent which is in the following terms:-

***BY CONSENT of Advocates for both parties, the Preliminary Objection dated 13th day of March 2015 be and is hereby marked as withdrawn. The costs be in the cause.***

4. The consent is hereby adopted as an order of this Court.

5. The Preliminary objection is marked as settled with costs to remain in the suit.

6. It is so ordered.

**DELIVERED IN OPEN COURT AT MERU THIS 8TH DAY OF DECEMBER, 2016 IN THE PRESENCE OF:-**

C:A James

Harun Gitonga for the Plaintiff

Dickson Kibiti for the Defendant

**P.M. NJORGE**

**JUDGE**