



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
MILIMANI LAW COURTS
ENVIRONMENT AND LAND COURT
ELC. CASE NO. 660 OF 2011

PRISCILA WAMBUI KAMAU..... PLAINTIFF

VERSUS

MARGARET WAMBUI KAMAU..... DEFENDANT

RULING

I have read the Notice of Motion dated 5th May 2014 and its Supporting Affidavit sworn by the Plaintiff on 2nd May 2014 seeking an order of temporary injunction restraining the Defendant from interfering with the Plaintiff's possession of the suit property pending the hearing and determination of this application and suit.

The Defendant opposed that application and filed her Replying Affidavit sworn on 14th May 2014 which I have perused. She annexed a copy of the title deed over the suit properties in her name.

I also perused the Plaintiff's Supplementary Affidavit sworn on 24th June 2014.

I have formed the overall impression that the Plaintiff /Applicant has not, at this juncture, shown that she has any rights over the suit property which this court would seek to protect by issuing an order of injunction. On the contrary, the Defendant/Respondent appears to hold legal rights over the same.

In the circumstances, this application is hereby dismissed. Costs shall be in the cause.

Parties are directed to arrange to engage in pre-trial procedures to pave way for the main trial.

DELIVERED AND DATED AT NAIROBI THIS 23RD

DAY OF OCTOBER 2015.

MARY M. GITUMBI

JUDGE

