



REPUBLIC OF KENYA



Cherop & 3 others v Inspector General National Police & 2 others (Environment & Land Petition 2 of 2024) [2024] KEELC 1769 (KLR) (11 April 2024) (Ruling)

Neutral citation: [2024] KEELC 1769 (KLR)

**REPUBLIC OF KENYA
IN THE ENVIRONMENT AND LAND COURT AT NAKURU
ENVIRONMENT & LAND PETITION 2 OF 2024**

A OMBWAYO, J

APRIL 11, 2024

**IN THE MATTER OF THE ENFORCEMENT OF THE BILL OF RIGHTS UNDER
ARTICLES 22(1) (2), 23, 165(3) (B) AND 258 OF THE CONSTITUTION OF KENYA**

AND

**IN THE MATTER OF THE ALLEGED CONTRAVENTION OF ARTICLES 10, 19, 20(1)
(2), 21 (1), (3), 27, 28, 35, 40, 41, 46 AND 47 OF THE CONSTITUTION OF KENYA 2010**

AND

IN THE MATTER OF THE FAIR ADMINISTRATIVE ACTIONS ACT NO.4 OF 2015

AND

IN THE MATTER OF THE COUNTY GOVERNMENT ACT NO. 17 OF 2012

AND

IN THE MATTER OF THE URBAN AREAS AND CITIES ACT OF 2012

AND

IN THE MATTER OF ALCOHOLIC DRINKS CONTROL ACT

AND

IN THE MATTER OF BLANKET CLOSURE OF BARS AND RESTAURANT

BETWEEN

EVANS KIPRUTTO CHEROP 1ST PETITIONER

MARY ANGELA MUMBI 2ND PETITIONER

JOYTRIZA WANCARI MUREITHI 3RD PETITIONER

MILKAH KEMUNTO JOSEPH 4TH PETITIONER

AND



THE INSPECTOR GENERAL NATIONAL POLICE 1ST RESPONDENT
THE CABINET SECRETARY FOR INTERNAL SECURITY AND
COORDINATION OF NATIONAL GOVERNMENT 2ND RESPONDENT
THE HONORABLE THE ATTORNEY GENERAL 3RD RESPONDENT

RULING

1. Parties have not complied with the courts directions. However, I have perused the application and do find that the prayers sought by the petitioner do not revolve on Articles 162 (2) b of the *constitution*. They do not relate to the environmental land use or title. I do find that this court lacks the prerequisite jurisdiction to determine the issues raised.
2. The petition is hereby transferred to the High Court that has original unlimited jurisdiction in such matter.

RULING DATED SIGNED AND DELIVERED VIRTUALLY AT NAKURU THIS 11TH DAY OF APRIL 2024.

A O OMBWAYO

JUDGE

