



**Karo v Jacob Waweru t/a Waweru Kiragu & Associates Advocates & 2 others (Miscellaneous Civil Application E059 of 2025) [2025] KEHC 6168 (KLR) (29 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 6168 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIAMBU  
MISCELLANEOUS CIVIL APPLICATION E059 OF 2025  
DO CHEPKWONY, J  
APRIL 29, 2025**

**BETWEEN**

**SUSAN NJERI KARO ..... APPLICANT**

**AND**

**JACOB WAWERU T/A WAWERU KIRAGU & ASSOCIATES  
ADVOCATES ..... 1<sup>ST</sup> RESPONDENT**

**THE LAND REGISTRAR, KIAMBU ..... 2<sup>ND</sup> RESPONDENT**

**ROBERT THEURI MAINA ..... 3<sup>RD</sup> RESPONDENT**

**RULING**

1. This matter is scheduled for inter-parties hearing of the Notice of Motion application dated 8<sup>th</sup> April, 2025.
2. Upon listening to counsel for the Applicant, Mr. Kairu, it is confirmed that the application and directions issued on 9<sup>th</sup> April, 2025 have been served upon the Respondents and there is an Affidavit of Service which has been filed to confirm this.
3. In the said application, the Applicant is seeking for orders that:-
  - a. Spent;
  - b. The Honourable Court does call for the court file for Kiambu Magistrate's Court, Suit No MCELC No e015 of 2025.
  - c. The suit, Kiambu MCELC No E015 of 2025 be transferred to Kikuyu Law Courts for hearing and determination, and in any case, not later than 15<sup>th</sup> May, 2025.



- d. The Executive Officer, Kiambu Law Courts, do facilitate and ensure the immediate transfer of the court file for the suit Kiambu MCELC No E015 of 2025 to Kikuyu Law Courts for hearing and determination, an in any case not later than 15<sup>th</sup> May, 2025.
  - e. The Honourable Court do make any such further orders and issue any other directions it may deem just, appropriate and expedient to grant in the interest of justice.
  - f. The costs of this application be provided for.
4. The application is premised on the grounds set out in its face and the Supporting Affidavi of Susan Njeri Karo sworn on even date. The gist of it being that on 18<sup>th</sup> March, 2025, Hon. Gethi Kibiru, Chief Magistrate directed that the Applicant moves the transfer of the matter being Kiambu MCELC No E015 of 2025 to Kikuyu Law Courts for hearing and determination within sixty (60) days. The matter was then set for mention on 20<sup>th</sup> May, 2025 for parties to confirm compliance of the said directions failure to which the suit will be struck out.
  5. And pursuant to Section 18 of the Civil Procedure Act, the Applicant has moved this Court in compliance of the said directions.
  6. According to the Applicant's counsel, the application and directions issued on 9<sup>th</sup> April, 2025 were served upon the Respondents on 8<sup>th</sup> April, 2025 but they have neither filed a response nor attended court as directed.
  7. In the circumstances, this leaves the application unchallenged and the court proceeds to allow the Notice of Motion application dated 8<sup>th</sup> April, 2025 and the following orders issue:-
    - a. The suit, Kiambu MCELC No E015 of 2025 be and is hereby transferred to Kikuyu Law Courts for hearing and determination.
    - b. The Executive Officer, Kiambu Law Courts to facilitate and ensure the immediate transfer of the said file being Kiambu MCELC No E015 of 2025 to Kikuyu Law Courts for hearing and determination.
    - c. Costs of this application to be in the cause.

It is so ordered.

**RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 29<sup>TH</sup> DAY OF APRIL , 2025.**

**D. O. CHEPKWONY**

**JUDGE**

In the presence of:

Mr. Kairu counsel for the Applicant

No appearance for and by the Respondents

Court Assistant - Martin

