

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
JUDICIAL REVIEW DIVISION
MISC. CIVIL APPLICATION NO. 434 OF 2016

RECEIVED
27 SEP 2016
CONSTITUTIONAL AND
HUMAN RIGHTS DIVISION

IN THE MATTER OF: AN APPLICATION FOR JUDICIAL REVIEW
ORDERS OF CERTIORARI AND PROHIBITION

AND

IN THE MATTER OF: ARTICLES 47 AND 67 OF THE CONSTITUTION OF
KENYA, 2010

AND

IN THE MATTER OF: THE FAIR ADMINISTRATIVE ACTION ACT, ACT NO. 4
OF 2015

IN THE MATTER OF: SECTION 14 OF THE NATIONAL LAND COMMISSION
ACT, CHAPTER 5D OF THE LAWS OF KENYA

BETWEEN

REPUBLIC.....APPLICANT

-VERSUS-

NATIONAL LAND COMMISSION..... RESPONDENT

AND

LAKE NAIVASHA RIPARIAN ASSOCIATION.....INTERESTED PARTY

EX PARTE..... GEOFFREY MUHORO

NOTICE OF MOTION

*(Under Section 8 of the Law Reform Act,
and Order 53 Rule 3 of the Civil Procedure Rules).*

TAKE NOTICE that pursuant to the leave granted by this Honourable Court on the 20th day of September 2016, this Honourable Court will be moved on theday of.....2016 at 9 o'clock in the forenoon or soon thereafter as Counsel for the Applicant may be heard on an application seeking Orders **THAT:**

1. An Order of Certiorari do issue to bring into this Honourable Court for the purpose of being quashed the Respondent's decision dated 22nd August 2016 revoking the Applicant's title to all that parcel of land known as L.R. No. 22957/4.

2. An Order of Prohibition do issue to prohibit the Respondent by itself, servants, agents, employees or whomsoever from reviewing, revoking or alienating the Applicant's title to all that parcel of land known as L.R. No. 22957/4 or from interfering with the Applicant's ownership and quiet possession of all that parcel of land known as L.R. No. 22957/4 or having any other dealing whatsoever in relation to all that parcel of land known as L.R. No. 22957/4 or taking any further proceedings or action in relation thereto.
3. Costs of this application be provided for.

WHICH MOTION is supported by the Statutory Statement dated 19th September 2016 and a Verifying Affidavit sworn on 19th September 2016, both filed in court on 20th September 2016 and such other or further grounds that may be adduced during the hearing hereof.

DATED at **NAIROBI** this 23rd day of September 2016

NGATIA & ASSOCIATES
ADVOCATES FOR THE APPLICANT

DRAWN AND FILED BY:-

NGATIA & ASSOCIATES,
BISHOPS GARDEN TOWERS,
2ND FLOOR,
1ST NGONG AVENUE,
NAIROBI

TO BE SERVED UPON:

THE NATIONAL LAND COMMISSION
ARDHI HOUSE, 1ST NGONG AVENUE
OFF NGONG ROAD
NAIROBI

LAKE NAIVASHA RIPARIAN ASSOCIATION

NOTE: "If any party served does not appear at the time and place above-mentioned, such orders will be made and proceedings taken as the court may think just and expedient".