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REPUBLIC OF KENYA

THE SENATE

FOURTH SESSION

THIRTEENTH PARLIAMENT

THE REPORT OF THE SENATE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES

ON

A PUBLIC PETITION REGARDING THE PLIGHT OF THE LANDLESS IN MUTHANTHARA EMBU COUNTY

02/10/25

SEPTEMBER, 2025

PAPERS LAID
DATE 7/10/2025
TABLED BY Chairperson
COMMITTEE —
CLERK AT THE TABLE Cherp

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ABBREVIATIONS

MoLPWHUD - Ministry of Lands, Public Works, Housing and Urban Development

NLC - National Land Commission

CoK - Constitution of Kenya

NGAO - National Government Administration Officers

PREFACE

Mr. Speaker sir,

The Standing Committee on Land, Environment and Natural Resources is established pursuant to standing order 228(3) of the Standing Orders of the Senate. As set out in the Fourth Schedule, the Committee is mandated to consider all matters relating to lands and settlement, housing, environment, forestry, wildlife, mining, water resource management and development.

Committee Membership

The Committee comprises the following Members.

1. Sen. Mohamed Mwinyihaji Faki, CBS, MP - **Chairperson**
2. Sen. Karen Nyamu, MP - **Vice-Chairperson**
3. Sen. Allan Chesang, CBS, MP
4. Sen. Johnes Mwashushe Mwaruma, MP
5. Sen. Joe Nyutu, MP
6. Sen. James Murango, MP
7. Sen. Mohamed Haji, MP
8. Sen. Mariam Sheikh Omar MP
9. Sen. Beatrice Akinyi Ogola, MP

CHAIRPERSON'S FORWARD

At a sitting of the Senate held on Thursday, 30th November, 2023, the Honourable Speaker of the Senate, reported to the Senate that a Petition had been submitted through the Clerk, by residents of Muthanthara Sub-location, Mbeere North, Embu County, regarding landlessness and lack of title deeds.

Pursuant to standing order 238(1) and the Fourth Schedule to the Standing Orders of the Senate, the Petition was committed to the Standing Committee on Land, Environment and Natural Resources.

Pursuant to Articles 37 and 119(1) of the Constitution, section 5(2) of the Petition to Parliament (Procedure) Act and standing order 238(2) of the Senate Standing Orders, the Committee is mandated to consider the Petition and respond to the Petitioners within the prescribed period.

To facilitate a judicious disposal of the Petition, the Committee resolved to conduct an inquiry on the issues raised in the Petition. In this regard the Committee requested the Petitioners to submit written documents to elaborate further on the issues raised in the Petition and to supply supporting evidence on the same.

The Committee proceeded to seek responses from the Cabinet Secretary, Ministry of Lands, Public Works, Housing and Urban Development (MoLPWHUD) and from the Chair of the National Land Commission (NLC), to address the issues raised in the Petition.

Committee Observations

Prayer One:

That, the Committee recommends that the National Government ensures that the fundamental rights of the residents of the area are upheld as provided in the Constitution

The Committee observed that;

1) the Petitioners have been harassed and evicted which constitutes infringement of

Articles 19, 20, 21, 22 and 23 of the Constitution. The Committee further observed that Article 40 guarantees every person the right, either individually or in association with others, to acquire and own property;

2) the Minority Tharaka residents were not informed of the land adjudication process that was conducted and therefore no fair administration of justice was provided to the community. Further, what emerged from the adjudication is persons obtaining large parcels of land and lack of uniformity in the scheme;
3) the Petitioner's may not have been granted an opportunity to be heard in the matter. Article 50 of the Constitution provides for the right to fair hearing and requires that every person has the right to have any dispute that can be resolved by the application of law decided in a fair and adequate public hearing conducted.

Prayer Two:

That, the Committee recommends the fast tracking of the MoLPWHUD in conducting an adjudication process and issue title deeds to the rightful land occupants

The Committee observed from the responses obtained from the MoLPWHUD that the adjudication process was completed and all claims were heard, determined and implemented and the section was finalized on 15th April 1982 and registered on 13th February 1987.

The Committee also notes that that one of the registered land owners of the demarcated parcels of land in Kamarandi Ishiara, Embu County on behalf of himself and co-respondents swore an affidavit in opposition to the allegations in the Petition and attached relevant copies of the title deeds to the land. **(*Annex II (C)* is the affidavit)**

Committee Recommendations

The Committee having investigated the matter in accordance with its mandate under the standing order 228(4) of the Senate Standing Orders recommends that -

1. The National Land Commission (NLC) immediately institutes investigations into the concerns raised by the residents of Muthanthara, and that status quo is maintained until the NLC delivers a judgment into the matter. The NLC is directed to ensure they complete their investigations on or before 31st December, 2025 and a report on the status should be shared with the Clerk of the Senate;

2. The County Government of Embu, recognizes the Tharaka Community, residing in Muthanthara Sub-Location, Kamarandi Location, Mbeere North Sub County, Embu County as a minority and prioritizes them in allocation of resources and distribution of social amenities;

3. A caveat is placed on the land title deeds by the MoLPWHUD and that further subdivision or sale of the land be temporarily put on hold until the National Land Commission has done its investigations on the matters raised by the Petitioners including reasons as to why there is no uniformity in the parcels that were allocated, yet this was a settlement scheme and some people emerged with large tracts of Land;

4. The Ministry of Interior and Coordination of National Government, through the Deputy County Commissioner (DCC) and the Sub-County Security Committee, ensures compliance with the provisions of Articles 19, 20, 21, 22, 23, 40 and 50 of the Constitution and ensures that no harassment, threats, or eviction attempts against residents and the Petitioners; and

5. The National Land Commission considers investigating the entire process including the alleged owners of the land as per the attached affidavit and where necessary declare the adjudication process as null and void.

ACKNOWLEDGEMENT

The Committee thanks the Offices of the Speaker of the Senate and the Clerk of the Senate for the support extended to the Committee in the execution of its mandate. The Committee further extends its appreciation to the Petitioners and the Ministry of Lands, Public Works, Housing and Urban Development and the National Land Commission for their submissions and contribution to the resolution of this matter.

Mr. Speaker Sir,

It is now my pleasant duty and privilege, on behalf of the Committee, to present this Report of the Standing Committee on Land, Environment and Natural Resources on the Public Petition regarding the plight of the landless in Muthanthara Embu County.

Signed: _____ **Date:** 30 / 09 / 2025.

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP,
CHAIRPERSON,
SENATE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES.

CHAPTER I

INTRODUCTION

1. At a sitting of the Senate held on 30th November, 2023, the Hon. Speaker of the Senate presented a Public Petition from residents of Muthanthara Sub-location, Mbeere North, Embu County, regarding the plight of the landless and committed it to the Senate Standing Committee on Land, Environment and Natural Resources.

Underlying Constitutional and Statutory Provisions

2. **Article 1(1) and (2)** of the Constitution, vests all sovereign power in the people of Kenya and shall be exercised only in accordance with the Constitution.

3. **Article 1(3) (a)** of the Constitution delegates sovereign power of the Constitution to, *inter alia*, Parliament and the legislative assemblies in the county governments.

4. **Articles 19, 20, 21, 22 and 23** of the Constitution provide for rights and fundamental freedoms, their application, implementation and enforcement.

5. **Article 37** of the Constitution provides that *every person has the right, peaceably and unarmed, to assemble, to demonstrate, to picket, and to present petitions to public authorities* while **Article 119(1)** of the Constitution provides that *"every person has a right to petition Parliament to consider any matter within its authority, including to enact, amend or repeal any legislation."*

6. **Section 5(2)** of the Petition to Parliament (Procedure) Act, provides that *a petition that is tabled in Parliament under this Act shall be considered in accordance with the Standing Orders of the relevant House.*

7. **Article 39** of the Constitution of Kenya (CoK) 2010 stipulates the right of every citizen to enter, remain in and reside anywhere in the country, and also the right to acquire and own property in any part of Kenya.

8. **Article 40** of the CoK 2010 guarantees the protection of the right to acquire and own property and provides safeguards against arbitrary deprivation.

9. **Article 50** of the CoK 2010 provides for the right to fair hearing and states that every person has the right to have any dispute that can be resolved by the application of law decided in a fair and public hearing before a court or, if appropriate, another independent and impartial tribunal or body.

10. **Article 60** of the CoK 2010 provides for the fundamental principles that guide land policy and management in Kenya, making provisions for equitable access, sustainable use, and proper administration of land, addressing historical injustices and promoting social and economic development.

11. **Land Adjudication Act (Cap. 284):** Governs the process of declaring adjudication areas to formalize customary ownership.

12. **Land Act (2012), Section 15**: Provides for registration of all land and documentation of rights.

13. **National Land Policy (2009):** Prioritizes resolution of historical injustices and communal land rights.

The Petition

14. The petitioners have occupied the land in question since independence without formal land ownership documentation.

15. Some residents were evicted by parties claiming ownership while others live under threat of eviction and harassment.

16. The petitioners have lodged repeated appeals to the Ministry of Lands, National Land Commission (NLC), Embu Provincial Administration, Registrar of Lands, and other institutions which have not yielded any solution.

17. The petitioners request that Muthanthara be declared an adjudication area to prevent illegal evictions and harassment by unknown individuals.

18. The Petitioners have made efforts to have the matters addressed by the relevant institutions of government all of which have failed to give satisfactory responses.

1.13 Background Facts of the Complaint

19. Only 45% of Embu County is formally adjudicated. Landlessness increases poverty levels with 38% of Embu residents living below the poverty line. Lack of titles enables exploitation by land speculators and fraudulent claimants thus forced evictions perpetuated.

20. Post-independence, land registration in Embu favored elite groups, leaving communities like the Mbeere without titles. Underfunding and overlapping mandates of government institutions hinder the compensation process for historical land injustices

21. Lack of proper land documentation is a contentious issue, with frequent disputes arising over land ownership and boundaries. This complicates the resettlement process and can lead to conflicts with local communities.

22. The landlessness has brought uncertainty to the petitioners' livelihoods, leading to significant economic hardship for the affected petitioners. Many of the residents' struggle to put up development on the land where they reside due to the uncertainty and lack of proper approvals.

23. The agony of anticipated evictions and harassment, coupled with ongoing economic uncertainty, has significant psychosocial impacts on the residents, including stress, anxiety, and depression. This affects both adults and children, with long-term consequences for their mental health and well-being.

24. Efforts to address these issues require coordinated action from government agencies, ministry state departments and stakeholders so as to find sustainable solutions and improve living conditions for the residents of Muthanthara in Embu County.

25. The petitioners have made efforts to have all the above matters addressed by relevant authorities all of which have failed to yield an amicable solution.

26. Currently there is no matter before courts, constitutional or legal body touching on the issue of eviction and adjudication of the mentioned land.

The Petitioners prayed that:

27. The Committee investigates this matter with a view of ensuring that the residents of Muthanthara are issued with title deeds for the land they occupy after the demarcation process.

28. The Committee recommends the protection of the landless residents from harassment and eviction threats until the matter is resolved.

29. The Committee intervenes in the matter with the relevant land registration institutions to fast-track the declaration of Muthanthara as an adjudication area.

LEGAL BASIS FOR PETITIONS

30. Petitions to the Senate are governed by the Constitution, the Petition to Parliament (Procedure) Act, No. 22 of 2012 and the Senate Standing Orders.

31. **Article 37** of the Constitution provides that *every person has the right, peaceably and unarmed, to assemble, to demonstrate, to picket, and to present petitions to public authorities* while **Article 119(1)** of the Constitution provides that *"every person has a right to petition Parliament to consider any matter within its authority, including to enact, amend or repeal any legislation."*

32. **Section 5(2)** of the Petition to Parliament (Procedure) Act, provides that *a petition that is tabled in Parliament under this Act shall be considered in accordance with the Standing Orders of the relevant House*. In this regard, standing order 238 of the Senate Standing Orders provides as follows-

33. *Committal of Petitions (SO 238)*

    a. *Every Petition presented or reported pursuant to this Part, shall stand committed to the relevant Standing Committee.*
    b. *Whenever a Petition is committed to a Standing Committee, the Committee shall, in not more than sixty calendar days from the time of reading the prayer, respond to the petitioner by way of a report addressed to the petitioner or petitioners and laid on the Table of the Senate and no debate on or in relation to the report shall be allowed, but the Speaker may, allow comments or observations in relation to the Petition for not more than thirty Minutes.*

34. Standing order 239 requires the Clerk to, within fifteen days of tabling of the report on a petition under Standing Order 238 (Committal of Petitions), submit a copy of the report to the petitioner or petitioners.

CHAPTER 2

CONSIDERATION OF THE PETITION

Approach taken by the Committee

35. In considering the Petition, the Committee observed that it would be important to verify the facts alleged in the Petition. The Committee therefore resolved to conduct an inquiry on the issues raised in the Petition.

36. In this regard the Committee received the Petition from the Petitioner through the House and further requested for written submissions and evidence from the Petitioners.

37. Thereafter the Committee invited the Cabinet Secretaries of the Ministry of Lands Housing Public Works and Urban Development (MoLHPUD) and the Chairperson, National Land Commission (NLC) who provided responses to the Committee.

Petitioners Submissions

38. Vide a letter REF: SEN/DSEC/DPEAC/LENR/2024(3) (26) dated 13th March, 2024, the Committee invited the Petitioners to physically appear before the Committee on Tuesday, 7th May, 2024.

39. The Petitioners appeared before the Committee and presented the following issues that they are going through–

a. The Petitioners began by giving a brief historical background on the tribulations and plight they have experienced as Muthanthara residents to the extent of currently facing forceful eviction by individuals unknown to them claiming to own the land parcels they currently occupy.

b. Additionally, the Committee was informed that the petitioners had previously engaged the Ministry of Lands and settlement in Embu as well as the Local Administration, however, their plight remains unresolved.

c. Further, having experienced violence previously between the two communities currently residing in Muthanthara Sub-Location with the Petitioners being the minority, they seek the assistance of the Committee in expediting the establishment of the true ownership of the land in question. This they believe will go a long way in entrenching peaceful co-existence and tranquility between the two communities as well as securing the Tharaka Minority Community from harassment and intimidation by third parties.

d. The Petitioners stated that some residents had been taken to court, following a ruling that was not in their favour and in the favor of the "absentee owners" as the true owners of the land they occupy and had even been issued with title deeds.

e. They easily get overlooked by both the Embu County Government and the Tharaka Nithi County Government as they reside on the border of both Counties.

f. They have continuously been receiving auctioneer letters threatening them with eviction from individuals who do not reside in the area.

40. The petitioners submitted a narrative of their history and the persons involved including communications with the area chief, Kamarandi Location.
41. Also included is the list of beneficiaries of the parcels of Land from the Tharaka Community. Included is the parcel No., name of beneficiary and the acreage in hectares.

Site visit to the Muthanthara area situated in Embu County

42. The Committee conducted the site visit to Embu County at the Muthanthara area located within the Mbeere-South region. The visit was conducted on Saturday, 31st May, 2025.

43. The Committee began with a visit to the Deputy County Commissioner, Mbeere North who informed the Committee that -

(1) There were persistent challenges given the volatile nature of the area including the overall security of the inhabitants;

(2) The area is referred to as Kamarandi Location, Mbeere North Sub-County;

(3) The Tharaka Community were invited to Mbeere due to the harsh climatic conditions where they originated from; and

(4) Over time the minority who were the Tharaka Community were not registered and therefore when it came to adjudication and registration of land they were majorly registered with the majority Mbeere's who lived among them.

44. Thereafter the Committee proceeded to the Kamarandi Location chiefs' office where the actual public engagement took place.

45. During the public hearing the Committee was informed that -

(1) There were long-standing matters concerning historical land injustices and systemic marginalization;

(2) Non-residents had been irregularly issued title deeds, displacing the original inhabitants who have ancestral claims to the land along the Mutonga and Thuchi Rivers - lands they have occupied long before current administrative boundaries were established;

(3) Land passed down from their forefathers was taken over by outsiders through undocumented and opaque processes;

(4) These new title holders rarely engage with locals and often access the land under security escort. In some cases, the land has been used as collateral for bank loans, further complicating disputes and undermining community ownership;

(5) They are being excluded from government services due to Muthanthara's lack of recognition as an official administrative unit. This has denied the community access to vital programs, jobs, and support systems—

especially affecting the youth and women during land inheritance proceedings;

(6) Despite their frustrations, the community called for peaceful resolution and expressed trust in the Senate Committee to address the issue fairly and urgently; and

(7) The Muthanthara Community area be gazetted as a formal sub-location and for all questionable land titles to be reviewed or revoked.

46. The Deputy County Commissioner (DCC) and Assistant County Commissioner (ACC) were in attendance and acknowledged the peaceful conduct of the community.

47. The DCC assured the Committee that no individual claiming ownership of land in the area would be allowed to take action until the Senate concluded its investigation. Chiefs were instructed to report any attempts at land occupation or harassment.

48. Below is a pictorial representation of the Committees observation during the visit.



Figure I: The arrival of the Committee led by the Committee Chairperson, Sen. Mohamed Faki, CBS, MP, and received by the Local Administration with a status briefing of the area and a security update.



Figure II: The Committee members who were present at the visit to Muthanthara, Embu County. The Members present were (from left to right) Sen. Mariam Sheikh, MP (Member), Sen. Joe Nyutu, MP (Member), Sen. Mohamed Faki, CBS, MP (Chairperson) and Sen. Alexander Mundigi, MP (Host Senator/friend to the committee).



Figure III: Members of the public following proceedings at Muthanthara, Embu County following the public engagement buy the Committee on the Petition.



Figure IV: Community elders following proceedings at Muthanthara, Embu County following the public engagement buy the Committee on the Petition.



Figure V: The Petitioners and community representatives making their submissions on the matters raised in the Petition and how it has affected them.

Responses by the Chairperson, National Land Commission

49. The committee admitted written submissions by the Chairperson of NLC responding to Statements and Petitions.

The Chairperson of NLC responded as follows:

50. The Muthanthara Community comprises nine clans living in Muthanthara Sub-location, Kamarandi Location, Mbeere North, Embu Sub- County. The community from Tharaka and Mbeere have lived there together for over 100 years. Recently the Tharaka People in Muthanthara have been threatened with eviction by the Mbeere Community through the area chief. Consequently, due to these threats from Mbeere and foreigners, the Tharaka community have written several complaint letters to government agencies and relevant institutions. However, no solution has been found yet.

51. Previously the demarcation of land in Embu started in 1970, and was the source of all the problems since the Tharaka Community were given notice to vacate their ancestral land in Muthanthara. The land was then allegedly issued to foreigners instead of the indigenous rightful occupants, thereby leaving them landless.

52. Thereafter, Muthanthara Community filed their Historical Land Injustice Claim with the National Land Commission vide File No. **NLC/HLI/127/2017**. The case file was opened and the matter was subjected to admissibility criteria as per ***Section 15 of National Land Commission Act, 2012***. The Commission undertook admissibility criteria for this claim among others. However, the Commission **requires resources** to conduct an investigation on the mentioned claim among others in Embu County.

The MoLPWHUD Responded as follows:

The Ministry stated that the said Muthanthara village is part of the larger Kamarandi Registration section in Embu County. It resulted in 992 land parcels covering an area of 7454.00 Ha at the time of registration.

This registration section was declared on 11th January 1972 in accordance with the provisions of Land Adjudication Act, Cap 284 L.O.K. This act provides for ascertainment of rights and interests over community land (formally trust land) in line with customary law. It gives guidance on the procedure and establishes mechanisms of

dispute resolution through land adjudication committee, arbitration board, objection to adjudication register and finally appeals to the Minister (Cabinet Secretary).

The ministry satisfactorily executed its mandate as per the land adjudication Act, Cap 284, laws of Kenya.

After completion of demarcation and survey work, the adjudication register for this registration section was published complete on 26th June, 1975 in accordance with section 25(c) of the same act whereby, "Any person named in or affected by the adjudication register or who considers it to be incorrect or incomplete in any respect may, within sixty days of the date upon which the notice of completion of the adjudication register is published, object to the adjudication officer in writing, saying in what respect he considers the adjudication register to be incorrect or incomplete."

All objections to the adjudication register received were heard, determined and implemented and those aggrieved by the adjudication officers' decisions were allowed to file appeal to the minister (Cabinet Secretary) cases within sixty days as provided for in Section 29 of Cap. 284.

All claims were heard, determined and implemented and the section was finalized on 15th April 1982 and registered on 13th February 1987.

Since the act had provided mechanisms for the petitioners to lay their claims during the land adjudication tribunals, it is assumed that they were content with the way the adjudication of the section was done.

The issues being raised appear to challenge this process and there is no provision in the provided law for re-declaration of adjudication in the same section.

The Ministry stated that they will try to engage all stakeholders and conduct a ground verification to identify the people on the ground and title holders with an aim of addressing the issues raised in the petition.

CHAPTER 3

COMMITTEE OBSERVATIONS

Prayer One:

That, the Committee recommends that the National Government ensures that the fundamental rights of the residents of the area are upheld as provided in the Constitution

The Committee observed that;

1) the Petitioners have been harassed and evicted which constitutes infringement of Articles 19, 20, 21, 22 and 23 of the Constitution. The Committee further observed that Article 40 guarantees every person the right, either individually or in association with others, to acquire and own property;
2) the Minority Tharaka residents were not informed of the land adjudication process that was conducted and therefore no fair administration of justice was provided to the community. Further, what emerged from the adjudication is persons obtaining large parcels of land and lack of uniformity in the scheme;
3) the Petitioner's may not have been granted an opportunity to be heard in the matter. Article 50 of the Constitution provides for the right to fair hearing and requires that every person has the right to have any dispute that can be resolved by the application of law decided in a fair and adequate public hearing conducted.

Prayer Two:

That, the Committee recommends the fast tracking of the MoLPWHUD in conducting an adjudication process and issue title deeds to the rightful land occupants

The Committee observed from the responses obtained from the MoLPWHUD that the adjudication process was completed and all claims were heard, determined and implemented and the section was finalized on 15th April 1982 and registered on 13th February 1987.

The Committee also notes that that one of the registered land owners of the demarcated parcels of land in Kamarandi Ishiara, Embu County on behalf of himself and co-respondents swore an affidavit in opposition to the allegations in the Petition and attached relevant copies of the title deeds to the land. **(*Annex II (C)* is the affidavit)**

CHAPTER 4

COMMITTEE RECOMMENDATIONS

The Committee having investigated the matter in accordance with its mandate under the standing order 228(4) of the Senate Standing Orders recommends that-

1. The National Land Commission (NLC) immediately institutes investigations into the concerns raised by the residents of Muthanthara, and that status quo is maintained until the NLC delivers a judgment into the matter. The NLC is directed to ensure they complete their investigations on or before 31st December, 2025 and a report on the status should be shared with the Clerk of the Senate;

2. The County Government of Embu, recognizes the Tharaka Community, residing in Muthanthara Sub-Location, Kamarandi Location, Mbeere North Sub County, Embu County as a minority and prioritizes them in allocation of resources and distribution of social amenities;

3. A caveat is placed on the land title deeds by the MoLPWHUD and that further subdivision or sale of the land be temporarily put on hold until the National Land Commission has done its investigations on the matters raised by the Petitioners including reasons as to why there is no uniformity in the parcels that were allocated, yet this was a settlement scheme and some people emerged with large tracts of Land;

4. The Ministry of Interior and Coordination of National Government, through the Deputy County Commissioner (DCC) and the Sub-County Security Committee, ensures compliance with the provisions of Articles 19, 20, 21, 22, 23, 40 and 50 of the Constitution and ensures that no harassment, threats, or eviction attempts against residents and the Petitioners; and

5. The National Land Commission considers investigating the entire process including the alleged owners of the land as per the attached affidavit and where necessary declare the adjudication process as null and void.

APPENDICES

ANNEX I: MINUTES OF THE MEETINGS

a. Minutes of the 16th sitting held on 7th May, 2024 – Meeting with the Petitioners

b. Minutes of the 67th sitting held on 30th April, 2025 – Meeting with the Petitioners in Embu County

c. Minutes of the 69th sitting held on 10th July, 2025– Consideration of the Committee Draft Report on the Petition

d. Minutes of the 72ndsitting held on 22nd July, 2025 – Meeting with the MoLPWHUD

e. Minutes of the 82nd sitting held on 22nd September – Consideration and Adoption of the Committee Report on the Petition

ANNEX II: SUBMISSIONS BY KEY STAKEHOLDERS

Annex II (A) – MoLPWHUD Submissions responding to the Petition

Annex II (B) – NLC Submissions responding to the Petition

Annex II (C) – Respondents affidavit responding to the Petition

ANNEX III: SUBMISSIONS BY THE PETITIONER

Annex III (A) – Petition as tabled in the Senate

Annex III (B) – Submissions presented by the Petitioner as evidence backing their Petition

Annex I:

Minutes of the Committee

MINUTES OF THE EIGHTY SECOND (82ND) SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD AT FOUR POINTS BY SHERATON, MACHAKOS COUNTY ON MONDAY, 22ND SEPTEMBER, 2025 AT 2:00 PM

PRESENT

1. Sen. Mohamed Mwinyihaji Faki, CBS, MP - **Chairperson**
2. Sen. Johnes Mwashushe Mwaruma, MP - Member
3. Sen. James Murango, MP - Member
4. Sen. Joe Nyutu, MP - Member
5. Sen. Mariam Sheikh Omar, MP - Member

ABSENT WITH APOLOGIES

1. Sen. Karen Nyamu, MP - **Vice Chairperson**
2. Sen. Beatrice Akinyi Ogola, MP - Member
3. Sen. Abdul Haji, MP - Member
4. Sen. Allan Chesang, CBS, MP - Member

IN ATTENDANCE

1. Mr. Victor Bett
2. Ms. Ivy Nyambura
3. Mr. Andrew Nyairo
4. Mr. John Gichia
5. Ms. Keziah Muthama
6. Mr. Simon Muinde
7. Mr. Boniface Mbithi

SECRETARIAT

- Clerk Assistant I
- Clerk Assistant III
- Legal Counsel II
–Research Officer III
–Fiscal Analyst III
- Audio Officer
-Serjeant at Arms

MINUTE SEN/LENR/443/2025: PRELIMINARIES

The Chairperson called the meeting to order at 10.14 am followed by a word of prayer.

MINUTE SEN/LENR/444/2025: CONSIDERATION OF COMMITTEE DRAFT PETITION REPORTS

The Chairperson began by informing the meeting that eleven (11) draft reports in total to be considered that had been scheduled for discussion. The Secretariat then proceeded to take the Members through the reports highlighting the Petition backgrounds, engagements with various stakeholders, investigations and county visits conducted as well as the key observations and recommendations.

In the course of deliberations, the Committee examined the draft reports presented and took note of the recommendations advanced by individual Members and resolved that the necessary amendments and refinements be incorporated into the drafts.

Upon conclusion of the discussions and having satisfied itself that the reports adequately captured the issues raised in the petitions and the Committee's determinations thereon, the Committee unanimously resolved to adopt a total of eight (8) Petition Reports as amended with the three (3) remaining Petitions requiring further stakeholder engagements.

The Secretariat was accordingly directed to effect the agreed amendments and prepare the final versions of the approved and adopted reports for tabling before the Senate.

The following reports were approved and adopted with amendments as follows-

i. **Petition by the Residents of Changara in Busia County concerning delays in implementation and completion of the Changara Water Pan World Bank funded project;**
ii. **Petition on historical injustices and illegal alienation of L.R. No. 7153/1, 7153/2, 7153/R, also known as L.R. 12825 in Kiambu County;**
iii. **Petition by Nyandarua IDPs on delayed compensation and occupation of parcels of land;**
iv. **Petition regarding the plight of the landless in Muthanthara, Embu County;**
v. **Petition by Marungu residents within Mghange Mwanda Ward, Taita Taveta County on the alleged threatened eviction from their ancestral land by Mghange Catholic Parish;**
vi. **Petition on ownership dispute over Mwananchi Settlement Scheme in Mwatate Constituency in Taita-Taveta County;**
vii. **Petition concerning recognition of land ownership rights and redress of Historical Injustices in Mombasa County; and**
viii. **Petition by the Mwabundusi land squatters on delayed allocation of land by way of resettlement or compensation for their ancestral land.**

The following reports were deemed unsatisfactory and thus need further engagements with various stakeholders to be completed-

i. **Petition regarding eviction of Korogocho Community living in the Nairobi River Corridor after its declaration as a special planning area, Nairobi County;**
ii. **Petition to the Senate concerning land injustices against the Olderkesi Community Members in Narok West Constituency, Narok County concern; and**
iii. **Petition by CECARE on behalf of Pumwani residents, concerning the conversion of the LR NO. 209/ 2378/1 Pumwani Majengo from public to private land.**

MINUTE SEN/LENR/445/2025 **ANY OTHER BUSINESS**

There was no other business discussed.

MINUTE SEN/LENR/446/2025 **ADJOURNMENT AND DATE OF NEXT MEETING**

The meeting was adjourned at 6.34 pm. The date of the next meeting was to be called on notice.

SIGNED..... **DATE**..20/9/2025

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP
CHAIRPERSON
STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES.

MINUTES OF THE SEVENTY SECOND (72ND) SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD ON TUESDAY, 22ND JULY, IN COMMITTEE ROOM 1, FIRST FLOOR, BUNGE TOWER BUILDING 2025 AT 10:00 AM

PRESENT

1. Sen. Mohamed Mwinyihaji Faki, CBS, MP - **Chairperson**
2. Sen. Karen Nyamu, MP - **Vice Chairperson**
3. Sen. Johnes Mwashushe Mwaruma, MP - Member
4. Sen. Joe Nyutu, MP - Member
5. Sen. Abdul Haji, MP - Member
6. Sen. Beatrice Akinyi Ogola, MP - Member
7. Sen. Mariam Sheikh Omar, MP - Member
8. Sen. James Murango, MP - Member

ABSENT WITH APOLOGIES

1. Sen. Allan Chesang, CBS, MP - Member

IN ATTENDANCE

MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN DEVELOPMENT

1. Hon. Alice Wahome, EGH –Cabinet Secretary
2. Mr. Kennedy G. Njenga –Directors Land Adjudication
3. Mr. Martin Weldon –Director of Survey
4. Mr. Nyandoro David -CLR

SECRETARIAT

1. Mr. Victor Bett - Clerk Assistant 1
2. Ms. Ivy Nyambura - Clerk Assistant III
3. Mr. Andrew Nyairo - Legal Counsel II
4. Mr. John Gichia - Research Officer III

5. Ms. Keziah Muthama - Fiscal Analyst III
6. Mr. Simon Muinde - Audio Officer
7. Mr. Jack Lemeteki -Assistant Media Relations Officer
8. Ms. Christabelle Wasilwa -Assistant Public Comms. Officer
9. Ms. Cynthia Waithera -Intern

MINUTE SEN/LENR/380/2025: **PRELIMINARIES**

The Chairperson called the meeting to order at 10.24 am followed by a word of prayer.

MINUTE SEN/LENR/381/2025: **ADOPTION OF THE AGENDA**

The agenda of the meeting was adopted after having been proposed by Sen. Beatrice Akinyi Ogola, MP, and seconded by Sen. James Murango, MP as follows-

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Minutes of the previous sitting;
4. Matters Arising;
5. **Meeting with the Cabinet Secretary, Ministry of Lands, Public Works, Housing and Urban Development and the Chairperson, National Land Commission to deliberate on the following Petitions -**
   i. *The Petition on historical injustices and illegal alienation of L.R. No. 7153/1, 7153/2, 7153/R, also known as L.R. 12825 in Kiambu County;*
   ii. *The Petition regarding the plight of the landless in Muthanthara, Embu County;*
   iii. *The Petition on delayed allocation of alternative land by way of re-settlement or compensation for the ancestral land that was alienated by the Government of Kenya for creation of Kisii Agricultural Institute and Kisii Farmers Training Center;*
   iv. *The Petition concerning recognition of land ownership rights and redress of historical injustices in Mombasa County;*
   v. *The Petition regarding land ownership dispute of the Mwananchi Settlement Scheme in Mwatate Constituency in Taita Taveta County;*
   vi. *The Petition concerning land injustices against community members living in Olderkesi, Narok West Constituency of Narok County;*
   vii. *The Petition regarding eviction of Korogocho community living in the Nairobi River corridor after its declaration as a special planning area;*
   viii. *The Petition regarding Public land grabbing in Kithima Location in Meru County; and*
   ix. *The Petition by Marungu Residents within Mchange Mwanda Ward, Taita Taveta County.*

6. **Meeting with the Chairperson, National Land Commission on the following eight (8) Statements before the Committee -**
   i. *Statement sought by Sen. Richard Onyonka, MP, regarding alleged delayed compensation of landowners affected by the Eldoret bypass project;*
   ii. *Statement sought by Sen. Fatuma Dullo, CBS, MP regarding alleged grabbing of community land in Isiolo County;*
   iii. *Statement sought by Sen. (Dr.) Steve Lelegwe Ltumbesi, CBS, MP, regarding acquisition of part of L.R. No. Samburu/East Waso/1 in Samburu County by the National Government;*
   iv. *Statement sought by Sen. Wahome Wamatinga, MP, regarding the status of land belonging to the Kenya Veterinary Vaccine Production Institute (KEVEVAPI);*
   v. *Statement sought by Sen. Andrew Omtatah Okoiti, MP, regarding the delay in compensating owners of land whose parcels were compulsorily acquired for the Ejinja- Bumala Road Project in Busia and Kakamega Counties;*
   vi. *Statement sought by Sen. Shakilla Abdalla, MP regarding acquisition and utilization of land for the construction of the Lamu Port and access roads;*
   vii. *Statement sought by Sen. Fatuma Dullo, CBS, MP, regarding the status of compensation to landowners displaced in the construction of the Horn of Africa Gateway Development Project; and*
   viii. *Statement sought by Sen. Agnes Kavindu Muthama, MP, regarding compulsory acquisition of land in Mutituni Market, Machakos County belonging to the late Reuben Mutuma by the Government.*

7. Any Other Business; and
8. Date of the Next Meeting and Adjournment.

MINUTE SEN/LENR/382/2025: CONFIRMATION OF MINUTES OF THE PREVIOUS SITTING

The confirmation of Minutes was deferred.

MINUTE SEN/LENR/383/2025: MATTERS ARISING

There were no matters arising.

MINUTE SEN/LENR/384/2025: MEETING WITH CABINET SECRETARY, MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN DEVELOPMENT

1. Petition on Historical Injustices – L.R. No. 12825, Kiambu County

Petition Summary: The Mbari ya Mbogo family claims that their ancestral land was illegally alienated, citing violations of land laws and irregularities in past survey and registration processes. They allege that the National Land Commission (NLC) conducted a biased and improperly concluded hearing and demand that the land be returned, development halted, and compensation awarded.

Ministry Response: The Ministry acknowledged the concerns raised but clarified that matters relating to historical land injustices fall under the constitutional mandate of the NLC pursuant to Article 67(2) (e) of the Constitution and the National Land Commission Act. As such, the Ministry referred the petitioners to the NLC for further action and determination.

2. Petition by Marungu Residents – Mwanda/Mgange Ward, Taita Taveta

Petition Summary: Petitioners alleged irregular allocation of 1,000 acres of trust land to the Holy Rosary Catholic Church, beyond an initially agreed 75 acres. They claim the demarcation lacked proper community consultation and suspect manipulation during a water project exercise.

Ministry Response: The Ministry presented documentary evidence showing legal allocation through the then County Council of Taita Taveta, including minutes, consent by the Land Control Board, and gazette notices. The allocation was formalized with a lease issued to the Catholic Archdiocese of Mombasa. The land was categorized as private in 2020, rendering it unavailable for adjudication. The Ministry maintained the allocation followed due process under the Trust Land Act (Cap. 288).

3. Petition on Landlessness in Muthanthara, Embu County

Petition Summary: Residents of Muthanthara village reported they have lived on the land since independence but lack title deeds and face threats of eviction. They seek recognition, protection from harassment, and declaration of the area as an adjudication section.

Ministry Response: The Ministry stated that Muthanthara is part of the Kamarandi Registration Section, which was declared in 1972, demarcated, and adjudicated by 1982. The adjudication register was finalized and registered in 1987. All disputes were addressed within the legal timelines. As the law does not allow re-declaration of adjudication sections, the Ministry cannot restart the process. However, it committed to conducting ground verification to identify affected individuals and reconcile occupancy with titles issued.

4. Petition on Alienated Land for Kisii Agricultural Institute and FTC

Petition Summary: Residents allege that land originally allocated to KALRO and the Kisii FTC in 1963 exceeded the lease terms and was never returned. They also claimed non-use of much of the land and lack of compensation to the original owners.

Ministry Response: The Ministry emphasized that compensation and historical land injustice matters fall within the purview of the NLC. It advised the petitioners to pursue their claims through the Commission, which has the constitutional authority to investigate and recommend compensation or redress for historical grievances.

5. Petition on Land Ownership Disputes in Mombasa County

Petition Summary: Long-term tenants residing on various parcels in Mombasa County alleged exploitation by absentee landlords, lack of legal leases, and denial of tenancy rights. They requested lease agreements, policy clarity, and a pathway to land ownership.

Ministry Response: The Ministry pointed to the NLC as the appropriate forum for these matters. They acknowledged the complex historical land issues in the coastal region and encouraged the petitioners to engage with the Commission for redress, policy reform, and investigation.

6. Petition on Mwananchi Settlement Scheme – Mwatate, Taita Taveta

Petition Summary: Residents raised alarm over a recent court ruling that awarded the land (L.R. No. 12924) to a third party, threatening the tenure of over 1,300 beneficiaries who were settled on the land by the government and issued titles.

Ministry Response: The Ministry informed the Committee that it has lodged a civil appeal against the judgment delivered by the Voi Environment and Land Court on 18th October 2024. It assured the Committee that the appeal is active and that the Ministry will pursue all legal avenues to safeguard the rights of the beneficiaries pending the outcome.

7. Petition on Land Disputes – Olderkesi, Narok West

Petition Summary: Community members complained of irregular land allocation during subdivision of Olderkesi Adjudication Section, including exclusion of original members and unaccounted leases to a conservancy investor, Mr. Calvince Cottars.

Ministry Response: The Ministry outlined that Olderkesi was lawfully declared an adjudication section in 2010. A notice of register completion was issued and inspection was open for 60 days as required. No objections were formally lodged. Over 6,600 titles have already been issued out of the expected 7,818. On the conservancy matter, the Ministry stated it was not party to the private lease agreement, which should be handled by the conservancy committee. Legal remedies are available under the Land Adjudication Act.

8. Petition on Korogocho Evictions – Nairobi River Corridor

Petition Summary: The Korogocho Community Forum raised issues over evictions following the Nairobi River Corridor's designation as a Special Planning Area, citing lack of public participation, intimidation, and inadequate compensation.

Ministry Response: The Ministry clarified that planning, designation, and eviction decisions within Nairobi fall under the Nairobi City County Government. As such, the county is best placed to respond to the concerns raised, though the Ministry encouraged due process and adherence to the Constitution in all actions.

9. Petition on Public Land Grabbing – Kithima, Meru County

Petition Summary: Petitioners allege that three parcels of public land earmarked for a dispensary, primary, and secondary school have been illegally occupied by private entities.

Ministry Response: The Ministry confirmed that all three parcels—Kiirua/Nkando 704, 702, and 690—are registered in the name of the County Council of Meru for public use and have no encumbrances. The records show clear ownership, and any illegal occupation can be addressed through legal eviction mechanisms.

10. Petition by Nyandarua IDPs – Delayed Compensation and Survey

Petition Summary: Internally Displaced Persons (IDPs) in Nyandarua County petitioned the Senate over delays in compensation, issuance of title deeds, and lack of survey on farms settled between 2010–2013. They also cited frozen funds in banks.

Ministry Response: The Ministry reported that while some farms were planned and surveyed, others were not, and regularization is pending. A budget of Ksh. 25.9 million is required to finalize planning and issuance of title deeds for these farms. It noted that over Ksh. 7.6 billion has already been spent nationwide on IDP resettlement, and that the government ceased land purchase for IDPs in 2013 in favor of cash payouts. The Ministry committed to completing the pending exercises subject to budget availability.

On concluding the Committee took note of the Ministry's responses and acknowledged areas requiring further follow-up, particularly with the National Land Commission, county governments, and courts. The Ministry was commended for its cooperation and commitment to stakeholder engagement and resolution of land grievances.

Further, the Committee resolved to-

i. Share records in Committee possession regarding ***the Petition regarding the plight of the landless in Muthanthara, Embu County*** to assist the Ministry of Lands to

review the issues raised by the Petitioners before embarking on a site visit for further data collection;

ii. Have land records regarding ***the Petition on delayed allocation of alternative land by way of re-settlement or compensation for the ancestral land that was alienated by the Government of Kenya for creation of Kisii Agricultural Institute and Kisii Farmers Training Center*** sent to the Committee within seven (7) days;

iii. Have Ministry of Lands to share the list of beneficiaries who recently received titled deeds in the ***Petition concerning land injustices against community members living in Olderkesi, Narok West Constituency of Narok County*** within seven (7) days;

iv. Give the Ministry of Lands a grace period of 6 months to effect the commitment they made on resettling of the Nyandarua/Laikipia IDPS on land already procured within this FY 2025/2026 and report back to the Committee; and

v. Send out a summon to the Chairperson, National Land Commission after having not honored a number of invitations by the Committee.

MINUTE SEN/LENR/385/2025 **ANY OTHER BUSINESS**

There was no other business discussed.

MINUTE SEN/LENR/386/2025 **ADJOURNMENT AND DATE OF NEXT MEETING**

The meeting was adjourned at 1.24 pm. The date of the next meeting was to be called on notice.

SIGNED..... **DATE**..... **22/7/25**

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP

CHAIRPERSON

STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES.

MINUTES OF THE SIXTY-NINTH (69TH) SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD VIRTUALLY ON THURSDAY, 10TH JULY, 2025 AT 11:00 AM

PRESENT

1. Sen. Mohamed Mwinyihaji Faki, CBS, MP - **Chairperson**
2. Sen. Karen Nyamu, MP - **Vice Chairperson**
3. Sen. Beatrice Akinyi Ogola, MP - Member
4. Sen. Johnes Mwashushe Mwaruma, MP - Member
5. Sen. Joe Nyutu, MP - Member
6. Sen. Abdul Haji, MP - Member

ABSENT WITH APOLOGIES

1. Sen. Mariam Sheikh Omar, MP - Member
2. Sen. Allan Chesang, CBS, MP - Member
3. Sen. James Murango, MP - Member

SECRETARIAT

1. Mr. Victor Bett –Clerk Assistant 1
2. Ms. Ivy Nyambura - Clerk Assistant III
3. Mr. Andrew Nyairo - Legal Counsel II
4. Mr. John Gichia - Research Officer III
5. Ms. Keziah Muthama –Fiscal Analyst III
6. Mr. Simon Muinde - Audio Officer
7. Mr. Jack Lemeteki -Assistant Media Relations Officer
8. Ms. Christabelle Wasilwa -Assistant Public Comms. Officer
9. Ms. Cynthia Waithera -Intern

MINUTE SEN/LENR/357/2025: PRELIMINARIES

The Chairperson called the meeting to order at 11.10 am followed by a word of prayer.

MINUTE SEN/LENR/358/2025: ADOPTION OF THE AGENDA

The agenda of the meeting was adopted after having been proposed by Sen. Beatrice Akinyi Ogola, MP, and seconded by Sen. Johnes Mwashushe Mwaruma, MP as follows-

1. Prayer;
2. Adoption of the Agenda;
3. **Consideration and adoption of the following Petitions' draft reports as follows-**
   i. Petition by Nyandarua IDPs on delayed compensation and occupation of parcels of land;
   ii. Petition regarding the plight of the landless in Muthanthara, Embu County;
   iii. Petition by Marungu residents within Mghange Mwanda Ward, Taita Taveta County on the alleged threatened eviction from their ancestral land by Mghange Catholic Parish;
   iv. Petition on the Changara Water Pan, a World Bank funded project in Busia County;
   v. Petition concerning the recognition of land ownership rights and redress of historical injustices in Mombasa County; and
   vi. Petition by CECARE on behalf of Pumwani residents, concerning the conversion of the LR NO. 209/ 2378/1 Pumwani Majengo from public to private land.
4. Any Other Business; and
5. Date of the Next Meeting and Adjournment.

MINUTE SEN/LENR/359/2025: **CONSIDERATION OF THE DRAFT REPORT ON THE PETITION BY NYANDARUA IDPS ON DELAYED COMPENSATION AND OCCUPATION OF PARCELS OF LAND**

The Committee was taken through the aforementioned draft report highlighting the legal basis for consideration, Petitioners submissions and responses by the Cabinet Secretary, Cabinet Secretary, Ministry of Lands Housing Public Works and Urban Development and the Ministry of Interior and National Administration, with the proposed observations and recommendations listed.

The Committee after consideration of the draft report resolved as follows –

1. Invite the Cabinet Secretary for Lands, Public Works, Housing and Urban Development to appear before the Committee on Tuesday, 22nd July, 2025 and the Cabinet Secretary for Interior and National Administration to appear on Tuesday, 29th July, 2025 to offer further insight on issues raised in the Petitions considered specifically on the matter of IDPs;

2. Send a letter to the Ministry of Lands, Public Works, Housing and Urban Development requesting the following information regarding the aforementioned Petition -
    a. The land survey for IDPs settlement;
    b. Status of subdivision of land allocated for the IDPs;
    c. The budget required to settle the IDPs being referred to in this petition and
    d. Total amount of money used to settle IDPs to date.

3. Send a letter to the County Government of Laikipia requesting provision of sanitation facilities and water for IDPs in the County.

MINUTE SEN/LENR/360/2025: **CONSIDERATION OF THE DRAFT REPORT ON PETITION REGARDING THE PLIGHT OF THE LANDLESS IN MUTHANTHARA, EMBU COUNTY**

The Committee discussed the draft report on the petition from the Mutanthara community in Embu County concerning threats of eviction and lack of formal land ownership despite occupying the land since independence. During a site visit, the Committee confirmed the community's historical connection to the land and poor living conditions.

The Committee resolved to send a letter to the Ministry of Lands, Public Works, Housing and Urban Development requesting clarification on the acreage of Muthanthara land in Embu County that is under dispute before concluding on the report.

MINUTE SEN/LENR/361/2025: **CONSIDERATION OF THE DRAFT REPORT ON PETITION BY MARUNGU RESIDENTS WITHIN MGHANGE MWANDA WARD, TAITA TAVETA COUNTY ON THE ALLEGED THREATENED EVICTION FROM THEIR ANCESTRAL LAND BY MGHANGE CATHOLIC PARISH**

The committee reviewed the draft report on the petition that came from residents of Marungu within Mghange Mwanda Ward in Taita Taveta County, who alleged that the Holy Rosary Catholic Church had wrongfully claimed 1,000 acres of their ancestral land. The Committee found that the Church had initially been allocated 75 acres, but later received a title deed for 1,000 acres. The Committee was concerned with the process and whether community consent was obtained.

The key recommendation upon completion of consideration of the above Petition was that the National Land Commission commences the process of identifying whether there were any cases of historical injustices meted on Marungu Residents from Mghange, Mwanda Ward, in Taita-Taveta County and should there be any investigations be done and a report tabled in the Senate within six (6) months of the tabling of this report in the Senate

The Committee resolved to-

1. Invite the Petitioner on the above Petition regarding the issue of land allocation from 75 acres to 100 acres to appear before the Committee on Tuesday 29th July,2025; and
2. Send a letter to the National Land Commission requesting clarification on the conditions of the land transfer from Trust Land to private land when they appear before the Committee on Tuesday, 22nd July, 2025.

MINUTE SEN/LENR/362/2025 **ANY OTHER BUSINESS**

1. Due to the time constraints the Committee resolved to consider the three (3) remaining draft reports at its next meeting; and
2. The Committee was taken through the proposed draft work plan for July-August, 2025.

MINUTE SEN/LENR/363/2025 **ADJOURNMENT AND DATE OF NEXT MEETING**

The meeting was adjourned at 1:11 pm. The date of the next meeting was to be called on notice.

SIGNED..... **DATE**..... **22/7/25**

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP
CHAIRPERSON
STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES

MINUTES OF THE SIXTY SEVENTH SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD ON WEDNESDAY, 30TH APRIL, 2025 IN MUTHANTHARA, EMBU COUNTY AT 10:30 AM

PRESENT

1. Sen. Mohamed Mwinyihaji Faki, CBS, MP - **Chairperson**
2. Sen. Mariam Sheikh Omar, MP - Member
3. Sen. Joe Nyutu, MP - Member

ABSENT WITH APOLOGIES

1. Sen. Karen Nyamu, MP - **Vice Chairperson**
2. Sen. Johnes Mwashushe Mwaruma, MP - Member
3. Sen. Allan Chesang, CBS, MP - Member
4. Sen. Abdul Haji, MP - Member
5. Sen. James Murango, MP - Member
6. Sen. Beatrice Akinyi Ogola, MP - Member

IN ATTENDANCE

FRIEND OF THE COMMITTEE

1. Sen. Alexander Mundigi –Senator, Embu County

PETITIONERS

1. Mr. Peter K. Nyaga
2. Mr. James Gakuvi
3. Mr. Silas Muturi Mugo

SECRETARIAT

1. Mr. Victor Bett –Clerk Assistant 1
2. Ms. Ivy Nyambura - Clerk Assistant III
3. Mr. John Gichia - Research Officer III
4. Mr. Simon Muinde - Audio Officer
5. Mr. Jack Lemeteki -Assistant Media Relations Officer

6. Mr. Boniface Mbithi -Serjeant At Arms

MINUTE SEN/LENR/346/2025: PRELIMINARIES

The Chairperson called the meeting to order at 10.38 am followed by a word of prayer.

MINUTE SEN/LENR/347/2025 MEETING WITH PETITIONERS ON PETITION BY NYANDARUA IDPS ON DELAYED COMPENSATION AND OCCUPATION OF PARCELS OF LAND BOUGHT FOR THEIR SETTLEMENT BETWEEN 2010 AND 2013

During a public hearing at Muthanthara, the Watharaka community voiced long-standing grievances concerning historical land injustices and systemic marginalization. They highlighted that non-residents had been irregularly issued title deeds, displacing original inhabitants who have ancestral claims to the land along the Mutonga and Thuchi Rivers—lands they have occupied long before current administrative boundaries were established.

The community recounted how land passed down from their forefathers was taken over by outsiders through undocumented and opaque processes. These new title holders rarely engage with locals and often access the land under security escort. In some cases, the land has been used as collateral for bank loans, further complicating disputes and undermining community ownership.

Residents also spoke of being excluded from government services due to Muthanthara's lack of recognition as an official administrative unit. This has denied the community access to vital programs, jobs, and support systems—especially affecting the youth and women during land inheritance proceedings.

Despite their frustrations, the community called for peaceful resolution and expressed trust in the Senate Committee to address the issue fairly and urgently. They urged for Muthanthara to be gazetted as a formal sub-location and for all questionable land titles to be reviewed or revoked. Supporting evidence, including maps and oral histories, was presented to affirm their historical presence and ownership.

On hearing the prayers of the Petitioners the Chairperson assured the petitioners that their concerns had been heard and would be addressed with utmost seriousness. Emphasizing

the committee's neutrality, he stated that the visit was meant to listen to all parties involved and recommend a fair and just resolution. He confirmed that individuals currently holding the disputed title deeds would be summoned for further investigation and questioning. The Senate is committed to resolving the land issues comprehensively and will, upon gathering all necessary information, invite key stakeholders—including title deed holders, the Ministry of Lands, and the National Land Commission—to appear before the Senate in Nairobi for further deliberations.

The area Senator began by thanking the Committee for visiting Muthanthara to listen directly to the residents affected by the ongoing land conflict. He acknowledged the pain and frustrations experienced by the Watharaka community, stating that the land issue has persisted for decades without resolution. He concluded by expressing his commitment to stand with the community and support efforts to find a just and lasting solution.

Additionally, other members present expressed empathy with the community's plight and emphasized the importance of justice and fairness in resolving the land dispute while still maintaining peace in the disputed area.

The Deputy County Commissioner (DCC) and Assistant County Commissioner (ACC) were in attendance and acknowledged the peaceful conduct of the community. The DCC promised that no individual claiming ownership of land in the area would be allowed to take action until the Senate concluded its investigation. Chiefs were instructed to report any attempts at land occupation or harassment.

Following the conclusion of the meeting in Muthanthara, the Committee made the following resolutions to guide the way forward:

i. No individual or entity shall take any action on land title deeds in Muthanthara until the Committee concludes its investigations and issues a final report;
ii. The Committee will summon all relevant stakeholders, including title deed holders, government agencies, and the National Land Commission, to Nairobi for a formal hearing;
iii. A petition shall be filed through the area Member of Parliament to the National Assembly, seeking official recognition of Muthanthara as a sub-location; and
iv. The Deputy County Commissioner (DCC) and the Sub-County Security Committee are directed to prevent any harassment, threats, or eviction attempts against residents.

MINUTE SEN/LENR/348/2025 ANY OTHER BUSINESS

There was no other business discussed.

MINUTE SEN/LENR/349/2025 **ADJOURNMENT AND DATE OF NEXT MEETING**

The meeting was adjourned at 6.25 pm. The date of the next meeting was to be called on notice.

SIGNED.....DATE.....10/7/25.....

SEN. MOHAMED MWINYIHAJI FAKI, CBS, MP
CHAIRPERSON
STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES

MINUTES OF THE SIXTEENTH (16TH) SITTING OF THE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES HELD ON TUESDAY, 7TH MAY, 2024 IN COMMITTEE ROOM 5, FIRST FLOOR, MAIN PARLIAMENT BUILDINGS AT 9:00 AM

PRESENT

1. Sen. John Muhia Methu, MP - **Chairperson**
2. Sen. (Dr.) Steve Lelegwe Ltumbesi, CBS, MP - **Vice Chairperson**
3. Sen. Johnes Mwashushe Mwaruma, MP - Member
4. Sen. Agnes Kavindu Muthama, MP - Member
5. Sen. Wamatinga Wahome, MP - Member
6. Sen. Mariam Sheikh Omar, MP - Member
7. Sen. Beatrice Akinyi Ogola, MP - Member

ABSENT WITH APOLOGIES

1. Sen. William Cheptumo Kipkiror, CBS, MP - Member
2. Sen. Issa Juma Boy, MP - Member

IN ATTENDANCE

FRIENDS OF THE COMMITTEE

1. Sen. Alexander Munyi Mundigi, MP –Senator, Embu County

PETITIONERS FROM EMBU COUNTY

1. Mr. Peter K. Nyaga
2. Mr. James Gakuvi
3. Mr. Kanampiu
4. Mr. Charles Mucumbi
5. Mr. Silas Muturi Mugo
6. Mr. Samuel Nyaga

SECRETARIAT

1. Mr. Victor Bett - Clerk Assistant I
2. Ms. Ivy Nyambura - Clerk Assistant III
3. Ms. Angela Kagunyi - Legal Counsel II
4. Mr. John Gichia –Research Officer III

5. Ms. Janice Naserian - Research Officer III
6. Ms. Lydia Kagumba –Public Communications Officer
7. Mr. Jack Lemeteki - Media Relations Officer
8. Ms. Shirley Milimu - Audio Officer III
9. Ms. Sarah Rukwaro - Serjeant at Arms

MINUTE SEN/LENR/074/2024: PRELIMINARIES

The Chair called the meeting to order at 9.28 am. This was followed by a word of prayer.

MINUTE SEN/LENR/075/2024: ADOPTION OF AGENDA

The agenda was adopted after having been proposed by Sen. (Dr.) Steve Lelegwe Ltumbesi, CBS, MP and seconded by Sen. Beatrice Akinyi Ogola, MP as follows -

1. Prayer;
2. Adoption of the Agenda;
3. Confirmation of Previous Minutes;
4. Matters Arising;
5. **Meeting with Petitioners on the following Petitions-**
   i. **Petition by representatives of Mwabundusi land squatters in Kisii County; and**
   ii. **Petition regarding the plight of the landless in Muthanthara, Embu County;**
6. Any Other Business; and
7. Date of the Next Meeting and Adjournment.

MINUTE SEN/LENR/076/2024: CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS

The Committee confirmed the Minutes of the fifteenth (15th) meeting held on 30th April, 2024 as a true record of events after having been proposed by Sen. Johnes Mwaruma, MP and seconded and Sen. Mariam Sheikh Omar, MP respectively;

MINUTE SEN/LENR/077/2024: MATTERS ARISING

There were no maters arising.

MINUTE SEN/LENR/078/2024: MEETING WITH PETITIONERS ON PETITION REGARDING THE PLIGHT OF THE LANDLESS IN MUTHANTHARA, EMBU COUNTY

a) The Petitioners began by giving a brief historical background on the tribulations and plight they have experienced as Mutharantha residents to the extent of currently

facing forceful eviction by individuals unknown to them claiming to own the land parcels they currently occupy.

b) Additionally, the Committee was informed that the petitioners had previously engaged the Ministry of Lands and settlement in Embu as well as the Local Administration, however, their plight remains unresolved.

c) Further, having experienced violence previously between the two communities currently residing in Muthanthara Sub-Location with the Petitioners being the minority they seek the assistance of the Committee in expediting the establishment of the true ownership of the land in question. This they believe will go a long way in entrenching peaceful co-existence and tranquility between the two communities as well as securing the Tharaka Minority Community from harassment and intimidation by third parties.

d) On further inquiry the Petitioners stated that some residents had been taken to court which ruled in their favor as the true owners of the land they occupy and had even been issued with title deeds.

e) The area Senator informed the Committee that indeed he was aware of the challenges that the Petitioners face as they are often overlooked by both the Embu County Government and the Tharaka Nithi County Government as they reside on the border of both Counties and thus implored the Committee to assist them wherever possible.

f) On concluding they shared concerns with the Committee that they have been receiving auctioneer letters threatening them with eviction from individuals who do not reside in the area.

g) The Committee resolved that the Petitioners make copies and submit all the records and documents in their possession in support of their prayers to the Secretariat to enable further investigations on the matters raised.

MINUTE SEN/LENR/079/2024 **ANY OTHER BUSINESS**

There was no other business discussed.

MINUTE SEN/LENR/080/2024 **ADJOURNMENT AND DATE OF NEXT MEETING**

The meeting was adjourned at 10:55 am. The next meeting was scheduled for Tuesday, 7th May, 2024 at 11.00 am.

Signed _____ Date **9/5/2024**

SEN. JOHN MUHIA METHU, MP

CHAIRPERSON
STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES.

Annex II:

Submissions by key Stakeholders

REPUBLIC OF KENYA

MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN DEVELOPMENT

INVITATION TO A MEETING OF THE SENATE STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES

Honourable Chair,

Pursuant to a letter REF: SEN/DSEC/DPEAC/LENR/2025(3) (205) dated 25th June, 2025, the Committee invited the Cabinet Secretary Ministry of Lands, Public Works, Housing and Urban Development to a meeting on Tuesday, 22nd July, 2025 to discuss the following Petitions;

1) The Petition on historical injustices and illegal alienation of L.R. No. 7153/1,7153/2,7153/R, also known as L.R. 12825 in Kiambu County;
2) The Petition by Marungu Residents within Mchange Mwanda Ward, Taita Taveta County;
3) The Petition regarding the plight of the landless in Muthanthara, Embu County;
4) The Petition on delayed allocation of alternative land by way of re-settlement or compensation for the ancestral land that was alienated by the Government of Kenya for creation of Kisii Agricultural Institute and Kisii Farmers Training Centre;
5) The Petition concerning recognition of land ownership rights and redress of historical injustices in Mombasa County;
6) The Petition regarding land ownership dispute of the Mwananchi Settlement Scheme in Mwatate Constituency in Taita Taveta County;
7) Petition concerning land injustices against community members living in Olderkesi, Narok West Constituency of Narok County;
8) The Petition regarding eviction of Korogocho community living in the Nairobi River corridor after its declaration as a special planning area; and
9) The Petition regarding public land grabbing in Kithima Location in Meru County.

Honourable Chair, in addition, pursuant to a letter Ref: SEN/DSEC/DPEAC/LENR/2025(3) (213) dated 14th July, 2025 the Committee invited the Cabinet Secretary to a meeting on 22nd July, 2025 to provide information on the following;

10. The Petition by Nyandarua IDPs on occupation of parcels of land bought in 2010-2013 and compensation money frozen in banks.

RESPONSES

1. The Petition on historical injustices and illegal alienation of L.R. No. 7153/1,7153/2,7153/R, also known as L.R. 12825 in Kiambu County.

The Petitioners' claim

The Petition is based on Historic Injustices meted to Mbari ya Mbogo's Family, based on, violation of the Survey Act, the Land Act and the Land Registration Act. The petitioners allege that the foundation of LR. No. 12825 is based on illegalities and irregularities. They claim the matter was previously raised and heard before The National Land Commission's Historical Land Injustice Committee under Article 67(2)(e) of the Constitution of Kenya and Section 15 of National Land Commission Act in the Matter of Historical land Injustices Claim Ref. No. NLC/HLI/053/ 2017 between Mbogo's Family of Mbari Ya Mbogo as Plaintiff/Applicant and Margret Nyokabi Mbugua and families of 9 others as Respondents.

The petitioners further claim that the National Land Commission proceeded to conduct a sham "Hearing" of the "Dispute" and rendered a determination thereon on 7th February 2019 in favour of the Respondents. The family was served with a belated determination letter 12 days after the Commissioners had exited office.

The petitioners are seeking the following;

i) Investigate the matter with a view to returning the ancestral land back to Mbogo's Family of Mbari ya Mbogo,
ii) Stop any further day to day development, sale and leasing off, by defendants till the matter is settled,
iii) Resolve that all beneficiaries, investors and stakeholders operating thereon to compensate on properties and all illegally occupied land, and
iv) Resolve on the compensation for historical injustices, damages and other loses as a result of forceful eviction meted to Mbogo's family.

Response

Honourable Chair, the petition on historical injustices and illegal alienation of L.R. No. 7153/1,7153/2,7153/R, also known as L.R. 12825 in Kiambu County, with a view of compensating the petitioners can well be addressed by the National Land Commission which has the constitutional mandate of addressing historical land injustices and compensation.

2. The Petition by Marungu Residents within Mchange Mwanda Ward, Taita Taveta County;

The Petitioners' Claim

The petitioners who are residents of Marungu within Mwanda/Mgange ward in Taita Taveta County claim that they have lived in the area for more than four decades. They allege that they have buried their loved ones within the area and have been doing subsistence farming. The petitioners further claim that sometime in the year 2007, the Holy Rosary Catholic Church approached the elders of Marungu area and requested to be allocated land for purposes of putting up an orphanage and a church.

They claim that the elders donated a maximum of 75 Acres but on the site identification day, the area chief directed that 1000 acres be identified for the mission and not the initial 75 Acres. This they assert, did not auger well with the elders and the site identification exercise was not concluded.

The petitioners further contend that since the year 2007, there has not been a meeting of the elders and the authorities to identify the 1000 Acres for the mission nor the initial 75 Acres which was to be identified. However, they allege that in the year 2009, the area Chief together with church officials brought a surveyor to demarcate and excise the 1000 Acres but the surveyor declined to do the demarcation since the land was already settled on by Marungu residents.

The petitioners claim that sometimes afterwards, there was a water pan project within the area and the residents as well as non- residents were asked come to come with copies of their Identity cards for them to be hired as casual workers and they suspect they could have been used to sanitize the demarcation.

The petitioners claim that in the year 2019, the mission constructed a church in the area falling within the 1000 Acres and in 2021, the Ministry of Lands set up an adjudication scheme covering Marungu area named Ngoloki Adjudication Scheme in May 2023.

The petitioners assert that the ongoing adjudication omitted approximately 1000 Acres in the area with the reason that the land is adjudicated and titled in favor of the Catholic mission. They claim that this is a very big omission and injustice if indeed the land was adjudicated without the knowledge of the residents.

The petitioners aver that the people of Marungu are now facing eviction from their ancestral land courtesy of unscrupulous dealings between the church, some lands officials and the current and former provincial administration officers.

The petitioners claim that in 2021, they tried to have the matter resolved by the National Land Commission but they have not received a response thus far and that the matter and issues are not before any Court of Law nor any Constitutional body.

The petitioners have therefore requested this Committee to;

i. Use its constitutional powers to demand for explanations from relevant officers and authorities
ii. Demands a correction of the injustice that is already underway and likely to culminate in a security and humanitarian crisis
iii. Demands that the 1000 Acres be adjudicated in favour of residents already residing in the said parcel of land as they are the rightful land owners

Response

Honourable Chair,

According to our records, the subject parcel of land falls on former Trust land. The Holy Rosary Catholic Church applied for allocation of 1000 Acres of land at Marungu/Mkamwasi to the then County Council of Taita Taveta and the same was approved. A consent for setting apart the land was also issued by Wundanyi Land Control Board. Annexure 1 are copies of the minutes and the Land Control Board Consent.

On December 4, 2008, the then County Council of Taita Taveta justified the setting a part of the 1000 Acres as shown in the table below. Annexure 2 is a copy of the letter.

S. NO.	PURPOSE	ACREAGE (ACRES)
1	Administrative Centre	2 acres
2	Nursery school and related facilities	5 acres
3	Primary school with related facilities including school demonstration firm	30 acres
4	Secondary and all related facilities including school demonstration farm	65 acres
5	Vocation centre with all related facilities	20 acres
6	Health Centre	5 acres
7	FARMS	
i.	No. of families-20 each with a house and family shamba 4 acres	80 acres
ii.	Staff-Farm manager, drivers for farm machinery	4 acres
iii.	Bee keeping	20 acres
iv.	Water systems with boreholes, shallow wells, sand dams for drip irrigation	50 acres
v.	Tree planting	300 acres

vi.	Animal keeping- dairy cows, sheep and goat	360 acres
8	Police post	3 acres
9	Housing for the orphans	30 acres
10	Church	10 acres
11	Sisters (Nuns) Convent and farm	20 acres
	TOTAL ACREAGE	1004 acres

In accordance with provisions of the then Trust Land Act (Cap. 288), the parcel of land was set apart by the then Commissioner of lands vide Gazette Notice No. 761 of December 24, 2010. The area gazetted was approximately 404.71 hectares and the boundaries were clearly defined. **Annexure 3** is a copy of the gazette notice.

On February 14, 2011, the entire gazetted land measuring approximately 404.71 Hectares was allocated to Catholic Archdiocese of Mombasa vide a letter of allotment Ref; 116402 T. C. **Annexure 4** is a copy of the letter of allotment. They accepted the allocation and paid the required legal fees. **Annexure 5** is a copy of the acceptance letter and the receipt. A lease document was processed for Catholic Archdiocese of Mombasa and registered on December 11, 2020 as CR 76335.

Honourable Chair, the land now falls in the category of private land and is therefore not available for adjudication.

3. The Petition regarding the plight of the landless in Muthanthara, Embu County

The Petitioners' Claim

The petitioners claim that they and the larger community of Muthanthara village in Mbeere North, Embu County have no title deeds to the land they have occupied since independence.

They further claim that they are faced with the threat of eviction and have visited several government offices without a solution to their problem.

i. They have therefore lodged a petition for registration and issuance of title deeds;
ii. The Senate to give direction regarding their ownership status and to be shielded from harassment by third parties;
iii. The Senate to initiate proceedings for a declaration of Muthanthara as an adjudication area;
iv. The Senate to make any other order it deems fit in respect of the petition

RESPONSE

Honourable Chair, Muthanthara village is part of the larger Kamarandi Registration section in Embu County. It resulted in 992 land parcels covering an area of 7454.00 Hectares at the time of registration.

This registration section was declared on 11th January 1972 in accordance with the provisions of Land Adjudication Act, Cap 284 of the Laws of Kenya. This act provides for ascertainment of rights and interests over community land (formally Trust land) in line with customary law. It gives guidance on the procedure and establishes mechanisms of dispute resolution through land adjudication committee, arbitration board, objection to adjudication register and finally appeals to the Minister (Cabinet Secretary).

The Ministry satisfactorily executed its mandate as per the Land Adjudication Act, Cap 284, laws of Kenya.

Honourable Chair, after completion of demarcation and survey work, the Adjudication Register for this registration section was published complete on 26th June, 1975 in accordance with section 25(c) of the same Act and whereby in the proceeding Section 26 which states that; *"Any person named in or affected by the adjudication register or who considers it to be incorrect or incomplete in any respect may, within sixty (60) days of the date upon which the notice of completion of the adjudication register is published, object to the adjudication officer in writing, saying in what respect he considers the adjudication register to be incorrect or incomplete."*

All objections to the adjudication register received were heard, determined and implemented and those aggrieved by the Adjudication Officers' decisions were allowed to file appeal to the minister (Cabinet Secretary) cases within sixty (60) days as provided for in Section 29 of Cap. 284.

All claims were heard, determined and implemented and the section was finalized on 15th April 1982 and registered on 13th February 1987.

Since the act had provided mechanisms for the petitioners to lay their claims during the land adjudication tribunals, it is assumed that they were contented with the way the adjudication of the section was done.

The issues being raised appear to challenge this process and there is no provision in the provided law for re-declaration of adjudication in the same section.

Honourable Chair, the Ministry will try to engage all stakeholders and conduct a ground verification to identify the people on the ground and title holders with an aim of addressing the issues raised in the petition.

4. The Petition on delayed allocation of alternative land by way of re-settlement or compensation for the ancestral land that was alienated by the Government of Kenya for creation of Kisii Agricultural Institute and Kisii Farmers Training Centre

The Petitioners' Claim

The petitioners state that complaint before the Senate is about the studious silence by the National Land Commission in addressing the land question in which the residents of Mwabundusi are languishing in abject poverty while their land that was alienated by the Kenya Government in 1963 is being utilized by Kenya Agricultural and Livestock Organization (KALRO) and Kisii Farmers Training Centre (FTC), who were allocated the said land.

The petitioners argue that the land originally belonged to the families of Mogaka Nyabaro, Naphtali Openda Christopher Mbaka and Atogo Mogaka and others. That in the year 1963/4 or thereabouts, the Ministry of Agriculture alienated a large parcel of land for the purpose of setting up a veterinary centre and later farmers training centre for the Nyanza Region. The lease was for 37 years and consequently it was to expire in the year 1992. They aver that the Government of Kenya in a decision was taken without involving the community as the original owners.

They further argue that KALRO was originally allocated 83 acres of land but is currently occupying more than 300 Acres of land which land remains fallow, underutilized and the original community owners do not derive any benefit from it. The petitioners add that in the year 2015, they presented a petition to the National Land Commission (NLC). However, the Commission did not act on their petition.

The petitioners lament that KALRO continues to hold large parcels of land, more than they need. That the petitioners were pushed by the Government to the river bank where they continue to suffer while they are prohibited from fully utilizing the land along the river banks due to the Environmental Management and Coordination Act 2015 since it is riparian land.

They further state that the Government has an obligation to ensure that every person whose land was alienated is compensated and the petitioners' case is a classic example of historical injustice. That despite the clear road map and constitutional mandate given to the NLC, the Commission has continued to be a bystander despite having raised their grievances to the Commission.

The petitioners state that efforts to have the NLC address this issue have proved futile and hence this petition to the Senate. The petitioners feel their issue is not being addressed contrary to the dictates of Articles 35 and 47 of the constitution.

On account of the above the petitioners are seeking the Senate to;

a) Compel the NLC to determine the actual size of land that was allocated to KALRO and Kisii Farmers Training Center and set aside whichever land that is over and above 83 Acres allocated to the two institutions as per the lease.

b) Order prompt and expeditious compensation or resettlement of the petitioners into any available public land.

c) Any other recommendation that the Senate may deem fit and just over this matter.

RESPONSE

Honourable Chair, the issues contained in the petition fall under the mandate of the National Land Commission who are best placed to address them.

5. The Petition concerning recognition of land ownership rights and redress of historical injustices in Mombasa County;

The Petitioners' Claim

The petitioners aver that they are residents of Mombasa County residing on parcels of land registered as original plot numbers MN/II/803, 804, 805, 806, 807, 80, 49 and 79, Mainland North of Mombasa, VI/MN/211/12/R Kashani, 360/II/MN, Kisauni. 219/XVII, 232/XVII, Mwembe Kuku plot 1068/XVII, XLV/54 Bondeni Mombasa Island.

They claim that they have been paying rent to absentee landlords who conduct unfair rent practices by charging monthly rent without providing formal receipts and neither do they have formal/ registered leases despite paying rent for many years.

They allege that the landlords have gone ahead and subdivided the original plots into smaller parcels without their consent and without following the proper procedure for change of user from agricultural to residential and assigned exorbitant valuations to the subplots. The tenants claim pre-emptive right to purchase the subplots.

They posit that their efforts to have their grievances addressed by the relevant authorities have failed to receive a satisfactory response.

The petitioners pray that the Senate;

i. Initiates investigation into allegations of human rights violations and land injustices within the affected plots of land in Mombasa County with a view to ensure that the petitioners are awarded land lease agreements;
ii. Utilize the findings of this investigation to formulate lasting solutions to the ongoing land ownership issues faced by residents of Mombasa County;
iii. Recommend Mechanisms that allow for the Petitioners to directly pay taxes and/ or to the government
iv. Make a recommendation for the legal recognition of Petitioners' tenancy rights
v. Undertakes a comprehensive analysis to define the specific challenges faced by coastal communities regarding land ownership
vi. Make a recommendation on provision of clear definitions of terms such as 'squatters', 'absentee landlords' and 'houses without land' within the context of ongoing coastal land reforms.

RESPONSE

Honourable Chair, the matters raised in this petition can best be addressed by the National Land Commission pursuant to their mandate.

6. The Petition regarding land ownership dispute of the Mwananchi Settlement Scheme in Mwatate Constituency in Taita Taveta County; and

The Petitioners' Claim

The Petitioners state that Mwananchi settlement scheme was registered in May 2010 by the Government of Kenya in which Land Registration Number 12924 comprising of 9,070 Hectares was subdivided to settle 1322 people. The Government of Kenya through the Settlement Trust Fund bought the land at a cost of Kshs.40 million from Wananchi Estates Limited who was the owner of the land. Wananchi Ranching (Directed Agricultural) Company Limited filed a case at the Environment and Land court at Voi as ELC NO 7 of 2024 and sought the following reliefs:

a) A permanent injunction restraining the defendants from dealing with LR NO 12924-CR 20403 in whatever way.
b) A declaration that the transfer of the land to Settlement Trust Fund Trustees and all consequential transfers was null and void.
c) A declaration that LR 12924 belongs to Wananchi Ranching (Directed Agricultural) Company Limited

They state that the case filed by Wananchi Ranching (Directed Agricultural) Company was against Wananchi Estates Limited, Settlement Trust Fund Trustees,

the Commissioner of Lands and the Attorney General of Kenya. The 1322 owners of land in the settlement scheme were not listed as defendants and thus had no opportunity to defend their interests in the suit. Wananchi Ranching (Directed Agricultural) Company alleged that Wananchi Estates Limited fraudulently sold land it didn't own to Settlement Trust Fund. They aver that on 18th October 2024, Judge E. K. Wabwoto at Voi Law Courts gave his judgment on the case in which among other things, declared that Wananchi Ranching (Directed Agricultural) Company is the bonafide and legitimate owner of LR No 12924 and that the land registration records should be rectified to reflect so. The judgement has caused a lot of anxiety amongst the owners of the land in the settlement scheme for fear of losing their land which they legally own as evidenced by the possession of valid title deeds some of which are shown below:

NO	NAME OF OWNER	TITILE DEED NO
1.	Ronald M.Mwakio	Taita-Taveta/Mwatate Wananchi/664
2.	Joseph Mwanguwe Mwamburi	Taita-Taveta/Mwatate Wananchi/1319
3.	Irene Wakesho Mjomba	Taita-Taveta/Mwatate Wananchi/613
4.	Bakari Kalema	Taita-Taveta/Mwatate Wananchi/1025
5	Ronald M.Shake	Taita-Taveta/Mwatate Wananchi/342
6.	Donald Bongosa Mcharo	Taita-Taveta/Mwatate Wananchi/880

The petitioners state that they have made best efforts to have the matters raised addressed by relevant authorities but the same remain unresolved. They claim that none of the issues raised in the Petition is pending in any Court of law, Constitutional or any other legal body.

They therefore pray that the Senate:

i) Intervenes and investigates the matter with a view to ensure that the area residents are adequately compensated;
ii) Inquires into the matter and makes appropriate recommendations on the irregular transactions on L.R No. 12924 situated in Mwatate Constituency;
iii) Inquires into the matter and makes legislative interventions relating to land transfer and acquisition processes to ensure that innocent Kenyans are protected; and

iv) Takes any other appropriate action it deems fit to resolve the matters raised here in Trustees.

RESPONSE

Honourable Chair, there is an ongoing Civil Appeal Case the Ministry has filed against the Judgement of the Honourable Judge E. K. Wabwato delivered on 18th October 2024 in Voi ELC CASE NO 7 of 2024 (Formerly MOMBASA ELC CASE NO. 40 OF 2017, Formerly NAIROBI CIVIL CASE NO 1663 OF 2000). The Ministry is awaiting the determination of the court. **Annexure 6** is a copy of the appeal application.

7. **Petition concerning land injustices against community members living in Olderkesi, Narok West Constituency of Narok County.**

The Petitioners' Claim

The petitioners state that Olderkesi group ranch is situated in Narok west constituency, Esoit location, Naikarra ward in Narok County. It is a communal land that measures approximately about 101,313 Acres. About 7,818 Acres of this land was converted into a conservancy area by the name Olderkesi conservancy. On 5th January 2013, the conservancy became active. It borders Maasai Mara game reserve. There are currently 24 conservancies in Maasai Mara, Olderkesi being one of them.

They further state that there has been an investor by the name Calvince Cottars who leased the parcel of land since 1920's but the community has not received any returns/compensation for this leasehold. Olderkesi group ranch is in the process of being subdivided. Land adjudication and subdivision has already been done and community members have been shown their land and the title deeds were due for issuance in March 2025. Olderkesi group ranch has 25 clusters. Representatives from these clusters were nominated to be members of the land adjudication committee. These committee has been in existence for over 22 years now.

The petitioners aver that sub-dividing the Olderkesi land, each community member was to be allocated 3 Acres of land. Unfortunately, this was not the case as the committee members allocated huge chunks of land to themselves, their relatives and friends from other regions. The local leadership has colluded with the committee to intimidate and deny community members their rightful share. Some of the committee members have sold some parcels of land already. The list of original members has not been made public. There has been no transparency in the entire process. As a matter of fact, the adjudication officer with his team during the formulation of the adjudication register, which contains the record of rights

and interests to the land in the adjudication section left out bonafide members of the adjudication section and instead inserted the names of non-members and was not made public as required by law in the Land Adjudication Act Chapter 284, Laws of Kenya.

They state that the investor (Cottars) who has invested in this land since 1920's whose leasehold must have expired by now still runs his business in this land. The community is not aware if there was a renewal of his leasehold and haven't received any returns for this. The community members have visited several Government offices to seek intervention with no success. They reached out to the Governor of Narok County, The Ministry of Lands and the National Land Commission and have made the best efforts to have these matters addressed by the relevant authorities all of which have failed to give a satisfactory response with none of the issues raised in this Petition is pending in any court of Law, Constitutional or any other legal body

The petitioners therefore pray that the Senate-

i) Intervenes and investigates the matter with a view to ensure that the original members of the Olderkesi Group Ranch are identified and are fairly allocated land, the total number of registered members is established and a list of the number of parcels of land sold and the beneficiaries is furnished;
ii) Inquires into the matter and establishes when the Olderkesi Conservancy was founded, the lease amount paid by Mr. Calvince Cottars, detailed information of the lessor(s) and ensure that the community members are adequately compensated from the leasehold venture: and
iii) inquires into the matter and makes legislative interventions relating to sale of land, transfer and acquisition processes to ensure that indigenous communities are protected.

RESPONSE

Honourable Chair, in response to questions (i), (ii) and (iii) I wish to respond as follows;

The Ministry vide notice of establishment declared Olderkesi location to be an Adjudication Section under Section 5 of the Land Adjudication Act Cap 284 Laws of Kenya on 30th September 2010. Annexure 7 is a copy of Notice of Establishment of Olderkesi Adjudication Section. The land is neither a group ranch nor community land since it was declared, demarcated and surveyed as an adjudication section.

The Ministry issued a notice of completion of the adjudication register and opened it up for inspection for 60 days as required by Section 25(C)and 26(I) of the Land

Adjudication Act, Cap 284. **Annexure 8** is a copy of notice of completion. Any bona-fide member left out or non-member included ought to have filed an objection within this period as provided for in the law. This had been explained to the landowners in a baraza. **Annexure 9** is a copy of letter through the Area Chief to all landowners to attend the baraza. Upon expiry of no objection notice, the adjudication register has been finalized and registered for titling. Out of the expected 7,818 titles, already about 6,676 titles have been issued.

The community set aside Parcel No.6147 of approximately 7000 Acres as a conservancy named Olderkesi Wildlife Conservancy and it has been operated as such even prior to demarcation and survey of the Oderkesi Adjudication Section. The Ministry is not privy to the details of the agreement between the community and the lessor. This would be addressed best by the officials/committee of the conservancy.

Honourable Chair, in the Constitutional Petition No.7 of 2019, the Court declared that a party must exhaust the provisions of Land Adjudication Act to settle any dispute arising prior to invoking the powers of the courts. The petitioners did not exhaust the provisions of the Land Adjudication Act.

8. **The Petition regarding eviction of Korogocho community living in the Nairobi River corridor after its declaration as a special planning area**

The Petitioners' Claim

Korogocho Community Forum is a community-based organization operating within Korogocho Location, Ruaraka Constituency, Nairobi City County. The petitioners claim that on 5th March, 2025, the Nairobi City County issued a notice in local dailies, declaring the Nairobi River Corridor as a Special Planning Area. This area spans the area along Nairobi River, from Naivasha Road to Ruai, including its tributaries. The notice declared that the corridor was to extend 60 meters beyond the high-water mark on each side of the river (30 meters riparian corridor and an additional 30 meters development area).

The petitioners have highlighted the following areas of concern:

a) Lack of adequate notice and public participation;
b) Unfair eviction criteria and intimidation;
c) Lack of representation in decision making;
d) Unresolved compensation issues arising from earlier evictions, and
e) Lack of commitment to compensate affected persons by the Nairobi City County.

The petitioners, therefore, pray that the Senate should:

a) Compel the Nairobi City County and the National Government to adequately compensate those already evicted and those who will be affected by future evictions;
b) Ensure credible public participation is conducted as required by the Constitution; and
c) Ensure that community representatives are included in all decision-making processes involving the Nairobi River Corridor.

RESPONSE

Honourable Chair, the matters raised in the petition fall within the mandate of the Nairobi City County. Therefore, they are best placed to provide a comprehensive response.

9. The Petition regarding public land grabbing in Kithima Location in Meru County

The Petitioners' Claim

Kithima Location is situated in Buuri East Sub County, Meru County. The petitioners claim that three parcels of land which had been earmarked for public utilities have been grabbed and occupied by a private entity. The lands in question are;

i) Kiirua/Nkando 704 (earmarked for Kithima Dispensary)
ii) Kiirua/Nkando 702 (earmarked for Kithima Primary School)
iii) Kiirua/Nkando 690 (earmarked for C.C.M Secondary)

The petitioners, therefore, pray that the Senate intervenes and ensures that:

i) The illegal occupants of the said parcels of public land are evicted;
ii) The boundaries of the said parcels of land are mapped out and beacons erected to that effect; and
iii) Any other action that the senate may consider necessary to protect public property and the constitutional rights of the residents of Kithima Location.

RESPONSE

Honourable Chair, according to our records Kiirua/Nkando 704 measuring 0.42 Hectares is reserved for Kithima Dispensary. It was registered on 28th January, 2014 in favour of County Council of Meru on freehold basis and has no encumbrances. Annexure 10 is a copy of the green card.

Honourable Chair, according to our records Kiirua/Nkando 702 measuring 6.40 Hectares is reserved for Kithima Primary School. It was registered on 28th January, 2014 in favour of County Council of Meru on freehold basis and has no encumbrances. Annexure 11 is a copy of the green card.

Honourable Chair, according to our records Kiirua/Nkando 690 measuring 7.86 Hectares is reserved for C.C.M Secondary School. It was registered on 28th January, 2014 in favour of County Council of Meru on freehold basis and has no encumbrances. Annexure 12 is a copy of the green card.

The three parcels are registered in favour of County Council of Meru (now County Government of Meru) and retain the reserved users with no encumbrances. Eviction of illegal occupants is a function of the Ministry of Interior and National Government. Once the evictions are done, this Ministry can then proceed to undertake re-establishment of boundaries and beaconing of the same.

10. Petition by Nyandarua IDPs on occupation of parcels of land bought in 2010-2013 and compensation money frozen in banks

At its sitting held on 10th July, 2025, the Committee considered the Petition by Nyandarua IDPs on delayed compensation and occupation of parcels of land and resolved to request the Cabinet Sectary to provide the following information:

a) The land survey for the settlement of the IDPs;
b) Status of sub-division of the land allocated for settlement of IDPs;
c) The budget required to settle the IDPs being referred to in this Petition; and
d) Total amount of money used to settle IDPs to date.

Honourable Chair, in response to (a) and (b) above, I wish to state as follows;

The presence of Internally Displaced Persons (IDPs) in Kenya was as a result of post-election violence following the disputed General Elections in 2007. The resettlement program for the IDPs commenced in 2009 following a Presidential Directive. The Government purchased farms for resettlement of IDPs. Before settling the IDPs the purchased farms were planned, demarcated and surveyed by the Ministry. However, some IDPs were allocated and settled on farms which were unplanned and un-surveyed with an intention of implementing the exercise later, which has not been done to date. Annexure 13 is a copy of the parcels of lands in Laikipia and Nyandarua counties that are settled and require planning, demarcation, survey and issuance of title deeds.

In August, 2013 the Government Shifted the Policy of purchase of land and adopted the cash payment. The number of IDPs who had been resettled by the time the new directive was issued was 6,656 households. The program for compensating IDPs who were living in camps through cash payments by the National Consultative Coordinating Committee was completed in 2016.

Honourable Chair, to regularize the IDPS settled in their farms, there is need to plan, survey, and demarcate the pending farms and issue title deeds to the beneficiaries, an exercise which requires Kshs. 25,946,900/=. Annexure 14 is a copy of the budget. To date, the Government has spent Kshs. 7,600,815,359.00 on resettlement of the Internally Displaced Persons countrywide.

Honourable Chair, I submit.

Hon. Alice Wahome, EGH
CABINET SECRETARY

21st July, 2025

NATIONAL LAND COMMISSION

National Land Commission, 316 Upperhill Chambers, 2nd Ngong Avenue, off Ngong Road
P.O. Box 44417 – 00100, *Nairobi-KENYA*, Tel: 0111042800, Email: info@landcommission.go.ke
Website: www.landcommission.go.ke

REF: NLC/2/3

31st July 2024

J. M. Nyegenye, CBS,
Clerk of the Senate,
Parliament Building,
P.O. Box 41842 – 00100,
NAIROBI

Dear Sir,

THE PETITION REGARDING THE PLIGHT OF THE LANDLESS IN MUTHANTHARA, EMBU COUNTY

Reference is made to your letters Ref. SEN/DSEC/E/LENR/2024(3)(34) and SEN/DSEC/DPEAC/LENR/2024(3) (50) dated 14th May 2024 and 4th July, 2024 in which you invited the Chairman of the National Land Commission (NLC) to respond to the petition stated above.

Further reference is made to the Commission's appearance to the Senate Standing Committee on Land, Environment and Natural Resources on 18th July 2024.

The NLC noted the following:

Muthanthara Community comprises nine clans living in Muthanthara Sub-location, Kamarandi Location, Mbeere North, Embu Sub-county. These are communities from Tharaka and Mbeere and they claim to have lived in the area for over over 100 years.

They also allege that the Tharaka people in Muthanthara were being evicted by the Mbeere Community through the area chief. Because of these threats from Mbeere and foreigners, they have written several complaint letters to government agencies, Commissions and the administration without success.

They attributed the demarcation of land which started in 1970 to all their problems because then, the Tharaka Community was given notice to vacate its ancestral land. They allege that their land was issued to foreigners instead of the indigenous landless people.

The NLC responds as follows:

The Commission received a total number of 3,743 Historical Land Injustices claims countrywide by 21st September, 2021 and in processing these claims, the Commission

has clustered them based on Counties of origin. In Embu County, 10 claims were received out of which 5 claims were admitted.

The Muthanthara Community filed its Historical Land Injustice Claims with the National Land Commission in 2017 which was assigned File No. NLC/HLI/127/2017. Thereafter, the Commission subjected it to the admissibility criteria as per Section 15 of National Land Commission Act, 2012 alongside other claims. Having met the threshold, the claim was admitted as a Historical Land Injustice claim.

The Commission is yet to consider the HLI claim by the Muthanthara Community alongside other admitted claims from Embu County claims due to resource constraints. Budget allocation for this key Constitutional mandate has been meagre over the years. The Commission has tried its best to process a number of matters with a very limited budget.

The Commission continues to seek for adequate funding to conduct investigations hearings and issue recommendations on all the submitted Historical Land Injustices claims. There is considerable funding for the current financial year and in the circumstances we anticipate to commence hearing of the Embu matters, this one included, hopefully within the next six months but , in any event, within the next one year.

Yours

Gershom Otachi Bw'Omanwa, EBS.
CHAIRMAN, NATIONAL LAND COMMISSION

(2) Ms. Mochenz (1) DLPS
PS deal. Please deal
28/7/25 28/7/25

DEPUTY CLERK - MAIN OFFICE
RECEIVED
28 JUL 2025
P.O. BOX 41842 - 00100, NAIROBI

SENATE CLERK'S OFFICE
RECEIVED
28 JUL 2025
P.O. Box 41842 - 00100, NAIROBI

REPUBLIC OF KENYA
THIRTEENTH SENATE
THE SENATE ASSEMBLY

PUBLIC PETITION REGARDING THE PLIGHT OF THE ALLEGED LANDLESS IN MUTHANTHARA EMBU COUNTY RECEIVED ON 30TH N0VEMBER 2023

PETITION NO. ..... OF 2023

RECEIVED
28 JUL 2025
DIRECTORATE OF LEGISLATIVE AND PROCEDURAL SERVICES

PETER KANGWARU NYAGA& 24 OTHERS.....PETITIONERS

VERSUS

GICHONI MBURACI .....1ST RESPONDENT
MICHAEL IRERI NJERU.....2ND RESPONDENT
FRANCIS RUNJI KARINGI.....3RD RESPONDENT
FRANCIS GITONGA MAGUU.....4TH RESPONDENT
JOEL MUNYI.....5TH RESPONDENT
BENSON IGUNA MUNA.....6TH RESPONDENT
JOSEPH MUTURI NJIRU.....7TH RESPONDENT
PETER IRERI MBOGO.....8TH RESPONDENT
NDWIGA MBOGO.....9TH RESPONDENT
HENRY NJUE MBOGO.....10TH RESPONDENT
NGUNGI MWANGA S/O JOSIA NGUNGI.....11TH RESPONDENT
ERICK GICHOVI MERU.....12TH RESPONDENT
EPHANTUS NJERU GICHONI.....13TH RESPONDENT
JOHN MURITHI.....14TH RESPONDENT
GENESIO NJERU NG'ONDU.....15TH RESPONDENT
JOHN NYAGA NGARI.....16TH RESPONDENT
PETERSON MWANGANGI.....17TH RESPONDENT
DAVID NJERU IRERI.....18TH RESPONDENT
DEBORA MUTURI NJERU.....19TH RESPONDENT
NJUE NTHAGANIE S/O FAEL IRERI NJUE.....20TH RESPONDENT
TURUNGI MUCERE S/O NYAGA GITONGA.....21ST RESPONDENT
NJERU GACIGU.....22ND RESPONDENT

REPLYING AFFIDAVIT TO PETITION DATED 22ND AUGUST 2023 CORCERNING LAND STATUS IN MUTHANTHARI ,KAMARANDI EMBU COUNTY.

I, **MICHAEL IRERI NJERU** of C/o P.O. Box 63-60102, Ishiara within the Republic of Kenya do hereby make oath and state as follows:

1. **THAT** I am one of the Co-Respondents and Registered land owners of demarcated land parcels in Kamarandi Ishiara, Embu County duly affected by the petition dated 22nd August 2023 to the Hon. Senate standing committee on Land, Environment and Natural Resources herein, with the requisite authority from my Co -Respondents to swear this affidavit in opposition to the allegations in the petition aforementioned hence competent to swear this affidavit.

MS. ~~Beatrice~~ Natasha
Kindly obtain
File No. 186/2023
and refer to the Committee.
A. MACHUKA
31/07/2025

2. **THAT** my Advocate on record has read and explained to me the contents of the petition dated 22nd August 2023, I have understood the same and in opposition, wish to respond as follows.

3. **THAT** the petitioners have failed to disclose to the honorable committee that MUNTHANTHARA, IS A SUB- LOCATION IN KAMARANDI and that EMBU/ KAMARANDI WAS DECLARED AS AN ADJUDICATION SECTION, with demarcation and adjudication becoming final in all Respects under section 29(3) CAP 284 of the Laws of Kenya.

4. **THAT** My Co-Respondents and I have title deeds in our names, which emanated from the adjudication process and as such we enjoy the rights as provided under sections 24, 25 & 26 of Registration of Land act 2012.(**Attached hereto and marked MIN 1-7 are copies of title deeds belonging to a number of my Co- Respondents).**

5. **THAT** the instant petition is barred by statute specifically section 7 of limitation of Actions Act Cap 22. Since titles held by the respondents were issued in the year 1983.

6. **THAT** the committee do take judicial Notice that Kamarandi Embu County borders Tharaka Nithi County to the North, where KAMARANDI THARAKA NITHI COUNTY IS UNDER ADJUDICATION.

7. **THAT** the said Petition dated 22nd August 2023 is perjured and the entire Application is an abuse of the Hon. Committee process as the said area had adjudication process finalized.

8. **THAT** My advocate advises me, which advise I verily believe to be true, that the Petition is an assault on our Right to Owning land as envisioned under Article 40 of the Constitution of Kenya.

9. **THAT** Mbeere had 9 clans as to wit;

   I. CIINA

   II. NGUGI

   III. MUKERA

   IV. MBUYA

   V. NYONGA YA KIROGI

   VI. GWIMA

   VII. MAGWI

   VIII. MURURI

   IX. NGITHI

10. **THAT** , gathering of land was done on a clan basis and land subdivided amongst various families, who then embarked on individual ownership through adjudication and demarcation.

11. **THAT** the various Mbeere Clans would adopt sojourners/strangers, who had a certain repertoire of skills admired or needed by the clan, usually healing and hunting, by accepting goats from the said sojourners, who had to have sponsor from the members of the clan. In a nutshell, Mbeere clans accepted members from other communities and would go ahead to give them land and deem them as their sons which is not the case of the petitioners herein who are strangers, are arm-twisting the law by purporting to claim refuge or adversarial status to acquire land from Mbeere.

12. **THAT** the petitioners are not from Mbeere nor are they members of our clans, nor purchasers of land but strangers from Tharaka Sub-tribe, this averment also takes into consideration provisions of Articles 40 & 60 of the constitution of kenya from which they attempt to anchor their claims, which should not be applied at expense of others rights derogable or not.

13. **THAT** the allegations under paragraph 2 of the petition are unfounded as the Government cannot give away land legally belonging to others.

14. **THAT** in response to paragraphs 3 & 4, registered owners have relied on court procedures to evict and file suit against the trespassers **(Attached hereto and marked MIN 8-9 are suit papers and judgement in MCELC Case no 43/2019 & 53/2020).**

15. **THAT** the petition does not raise compelling reasons and or exceptional circumstances to warrant prayers sought and is merely and solely intended to prejudice legally registered owners.

16. **THAT** the Hon Committee jurisdiction to hear this petition in light of existing title deeds by the respondents is denied.

17. **THAT** what is deponed to above on record is true to the best of my knowledge information and belief and the advice from my Advocate.

SWORN at NAIROBI by the said
MICHAEL IRERI NJERU

.....
DEPONENT

This 24th day of July 2025.
BEFORE ME

DANIEL MUGUN
ADVOCATE &
COMMISSIONER FOR OATHS
P.O Box 35043-00200
NAIROBI

COMMISSIONER FOR OATHS/MAGISTRATE

DRAWN AND FILED BY
Njeru James & Company Advocates

Jowamu 3, 2nd Floor, Rm. 201,

Seasons Road, Kasarani,

P. O. Box 9877- 00200 Nairobi

Email; Njerujamesadvocates@Gmail.Com

TO BE SERVED UPON

1. Peter Kangwaru Nyaga
   P.O Box 153 Ishiara
   EMBU COUNTY
   Email: peternyaga528@gmail.com / peterknyaga@yahoo.com

2. The Senate
   Clerk's Chambers
   Parliament Buildings
   P.O.Box 41842-00100
   NAIROBI.

REPUBLIC OF KENYA
THIRTEENTH SENATE
THE SENATE ASSEMBLY
PUBLIC PETITION REGARDING THE PLIGHT OF THE ALLEGED LANDLESS IN MUTHANTHARA EMBU COUNTY RECEIVED ON 30TH N0VEMBER 2023
PETITION NO. ..... OF 2023

PETER KANGWARU NYAGA& 24 OTHERS.....PETITIONERS

VERSUS

GICHONI MBURACI ..... 1ST RESPONDENT
MICHAEL IRERI NJERU.....2ND RESPONDENT
FRANCIS RUNJI KARINGI.....3RD RESPONDENT
FRANCIS GITONGA MAGUU.....4TH RESPONDENT
JOEL MUNYI.....5TH RESPONDENT
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NJUE NTHAGANIE S/O FAEL IRERI NJUE.....20TH RESPONDENT
TURUNGI MUCERE S/O NYAGA GITONGA.....21ST RESPONDENT
NJERU GACIGU.....22ND RESPONDENT

AUTHORITY TO SIGN

We, GICHONI MBURACI ,FRANCIS RUNJI KARINGI,FRANCIS GITONGA MAGUU,JOEL MUNYI,BENSON IGUNA MUNA,JOSEPH MUTURI NJIRU,PETER IRERI MBOGO,NDWIGA MBOGO,HENRY NJUE MBOGO,NGUNGI MWANGA S/O,JOSIA NGUNGI,ERICK GICHOVI MERU,EPHANTUS NJERU GICHONI,JOHN MURITHI,GENESIO NJERU NG'ONDU,JOHN NYAGA NGARI,PETERSON MWANGANGI,DAVID NJERU IRERI,DEBORA MUTURI NJERU,NJUE NTHAGANIE S/O FAEL IRERI NJUE,TURUNGI MUCERE S/O NYAGA GITONGA&NJERU GACIGU the

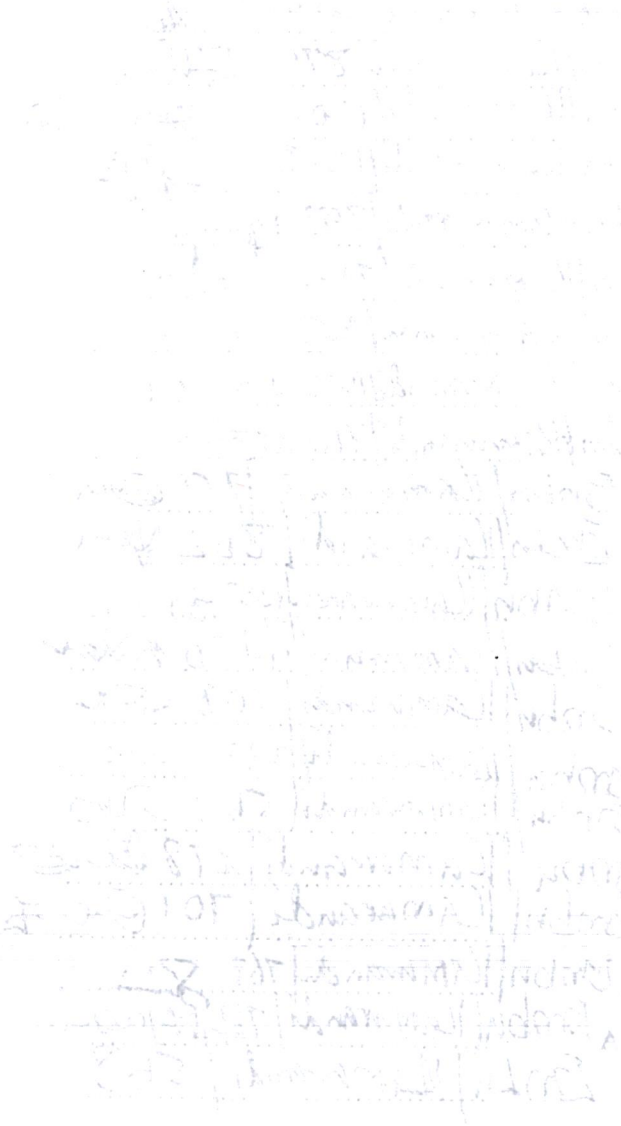
Respondents herein do hereby authorize MICHAEL IRERI NJERU the 2nd Respondent to execute and or sign all the necessary documents in this matter for and on our behalf.

GICHONI MBURACI Embu/Kamarandi/667
FRANCIS RUNJI KARINGI Embu/Kamarandi/874
FRANCIS GITONGA MAGUU Embu/Kamarandi/1209
JOEL MUNYI Embu/Kamarandi/1208
BENSON IGUNA MUNA Embu/Kamarandi/898 iguna
JOSEPH MUTURI NJIRU Embu/Kamarandi/742
PETER IRERI MBOGO Embu/Kamarandi/146
NDWIGA MBOGO Embu/Kamarandi/1456 Ndwiga
HENRY NJUE MBOGO Embu/Kamarandi/710
NGUNGI MWANGA S/O JOSIA NGUNGI Embu/Kamarandi/751
ERICK GICHOVI MERU Embu/Kamarandi/862 Njeru
EPHANTUS NJERU GICHONI Embu/Kamarandi/1235
JOHN MURITHI Embu/Kamarandi/480
GENESIO NJERU NG'ONDU Embu/Kamarandi/708
JOHN NYAGA NGARI Embu/Kamarandi/237
PETERSON MWANGANGI Embu/Kamarandi/569
DAVID NJERU IRERI Embu/Kamarandi/478
DEBORA MUTURI NJERU Embu/Kamarandi/701
NJUE NTHAGANIE S/O FAEL IRERI NJUE Embu/Kamarandi/763
TURUNGI MUCERE S/O NYAGA GITONGA Embu/Kamarandi/762 Nyaga
NJERU GACIGU Embu/Kamarandi/568

DATED AT **NAIROBI** THIS.....27th.....DAY OF.....July.....2025

NJERU, JAMES & CO.ADVOCATES
ADVOCATES FOR THE RESPONDENTS

DRAWN & FILED BY:
Njeru James & Company Advocates
Jowamu 3, 2nd Floor, Rm. 201,
Seasons Road, Kasarani,
P. O. Box 9877- 00200 Nairobi
Email; njerujamesadvocates@gmail.com



REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(Chapter 300)

This is the exhibit marked "MIN 1"
referred to in the annexed affidavit/
declaration of MICHAEL IRERI NJERU
Sworn/declared before me this 24th
day of July 2014
Commissioner for Oaths

Land Certificate

REGISTRATION DISTRICT: EMBU

TITLE NUMBER: EMBU/KAHARANDI/560

This is to certify that NYAGA KACHIGU .....

ID/3736651/66 of P.O. RUNYENJES.....

is ~~(are)~~ now registered as the absolute proprietor~~(s)~~ of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 30 of the Registered Land Act as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the EMBU District Land Registry this Fourteenth day of April, 1986

REPUBLIC OF KENYA

THE REGISTERED LAND ACT

(Chapter 300)

This is the exhibit marked "MIN2"
referred to in the annexed affidavit/
declaration of MICHAEL IRERI NJERU
Sworn/declared before me this 24th
day of July 2025
Commissioner for Oaths

Land Certificate

REGISTRATION DISTRICT: EMBU

TITLE NUMBER: EMBU/KAMARANDI/913

This is to certify that WAWERU MUNYI M'NGUNGI

ID/3737417/70

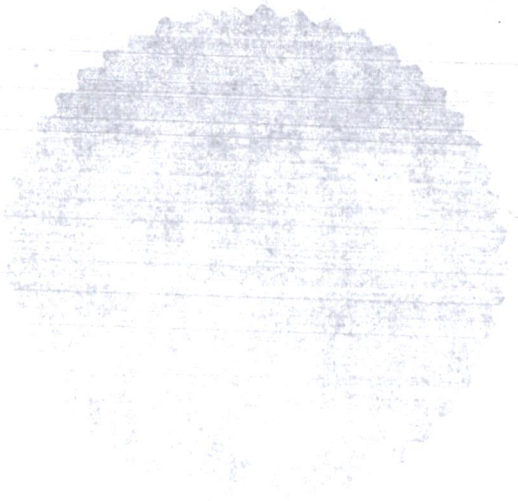
OF P.O BOX 6068, RUNYENJES.

is (~~are~~) now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 30 of the Registered Land Act as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the EMBU District Land Registry this Fifteenth day of May, 1985

Land Registrar

8



REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(Chapter 300)

This is the exhibit marked "MIN3"
referred to in the annexed affidavit/
declaration of MICHAEL IRERI NJERU
Sworn/declared before me this 24th
day of July 2025
Commissioner for Oaths

Title Deed

Title Number EMBU/KAMARANDI/470

Approximate Area 4.8 Ha.

Registry Map Sheet No. 31

This is to certify that NJERU MUIGIRE ID/3787947/66
P.O. Box 98, ISHIARA = = = = = = = = = = = = =

is (~~are~~) now registered as the absolute proprietor(~~s~~) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 30 of the Registered Land Act as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the
E M B U District Land Registry
this TWENTY-SEVENTH day of JANUARY, 1994

Land Registrar

Title Sheet

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(Chapter 300)

This is the exhibit marked "MIN4" referred to in the annexed affidavit/ declaration of MICHAEL IRERI NJERU
Sworn/declared before me this 24th day of July 2025
Commissioner for Oaths

Land Certificate

REGISTRATION DISTRICT

EMBU

TITLE No.

EMBU/KAMARANDI/954

This is to certify that LAMECK NJEBE ID/3776068/66 OF EMBU.

.....

.....

is (~~are~~) now registered as the absolute proprietor(~~s~~) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 30 of the Registered Land Act as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the

EMBU District Registry

this Nineth day of February, 19 83

Land Registrar

10

REPUBLIC OF KENYA

THE REGISTERED LAND ACT

(Chapter 300)

This is the exhibit marked "MM 5" referred to in the annexed affidavit/ declaration of MICHAEL IRURI NJERU Sworn/declared before me this 24th day of July 2025

Commissioner for Oaths

Title Deed

Title Number EMBU/KAMARANDI/127

Approximate Area 2.2 HECTARES

Registry Map Sheet No. 55

This is to certify that NDWIGA NYAGA= = = = = = = =

(ID/3777994/66) OF P.O. ISHIARA, EMBU= = = = = = =

Title Number

Appurtenant Area

Registered Lease

This is to certify that

is (are) now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the matters referred to in section 30 of the Registered Land Act as are subsisting and affect the land.

GIVEN under my hand and the seal of the

Title Number

Appurtenant Area

Registered Lease

This is to certify that

is (are) now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the matters referred to in section 30 of the Registered Land Act as are subsisting and affect the land.

GIVEN under my hand and the seal of the

This is the exhibit marked "MING..."
referred to in the annexed affidavit/
declaration of MICHAEL IKERI NJERU
Sworn/declared before me this 24th
day of July 2015
Commissioner for Oaths

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(Chapter 300)

Land Certificate

REGISTRATION DISTRICT: EMBU

TITLE NUMBER: EMBU/KAMARANDI/589

This is to certify that MUAKA M'MBURA ID/5092639/68

OF P.O. BOX 6054, RUNYENJES, EMBU

is ~~(are)~~ now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 30 of the Registered Land Act as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the EMBU District Land Registry this Twenty-Fourth day of October, 1985

Land Registrar

12

This is the exhibit marked "MN7"
referred to in the annexed affidavit/
declaration of MICHAEL IRERI NYERU
Sworn/declared before me this 24th
day of July 2025
Commissioner for Oaths

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(Chapter 300)

Land Certificate

REGISTRATION DISTRICT	TITLE NO.
EMBU	EMBU/KAMARANDI/609

This is to certify that NJUGU NYAGA ID/3786354/66

OF P.O BOX ISHIARA, EMBU.

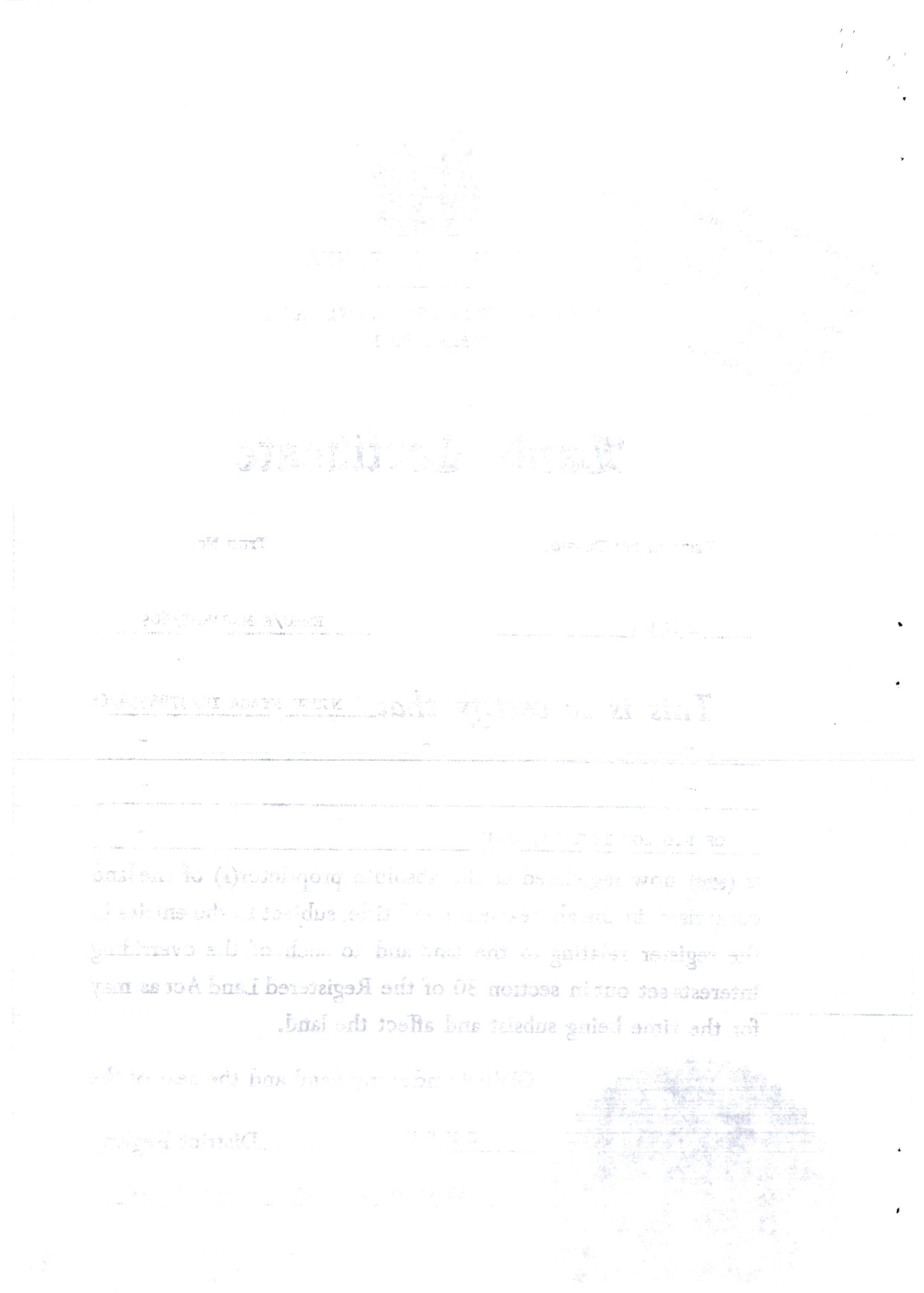
is (~~are~~) now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 30 of the Registered Land Act as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the

EMBU District Registry

this Eleventh day of August, 19 83

13



REPUBLIC OF KENYA
IN THE PRINCIPAL MAGISTRATE'S COURT AT SIAKAGO
MCL & E 53 OF 2020

This is the exhibit marked "MIH9" referred to in the annexed affidavit/declaration of MICHAEL NJERU NJERU Sworn/declared before me this 24th day of July 2025
Commissioner for Oaths

PETERSON MWANGANGI NJERU.....PLAINTIFF

VERSUS

JAMES NDWIGA NYAGA.....DEFENDANT

DECREE

CLAIM FOR:

a) An Eviction Order directed to the defendant, his employees, servants and/or agents and/or all those claiming under him from Land Reference Number **EMBU/KAMARANDI/1237**.
b) That **O.C.S SIAKAGO POLICE STATION** to provide security during the Eviction exercise on Land Parcel No. **EMBU/KAMARANDI/1237**.
c) Any further relief which this Honorable Court may find it just and expedient to grant.

THIS SUIT coming up for Hearing on **4th August, 2021** Before **HON. W. NGUMI- PM** and upon hearing the evidence adduced before me by the Plaintiff and the defendant herein **AND** a consequent Judgment delivered by this Court on **10th NOVEMBER, 2021**:-

IT IS HEREBY DECREED THAT: -

1) That the Defendant either by himself, his employees, servants and/or agents, or any person acting under his instructions is hereby granted **30 days** to voluntarily vacate from all that Parcel of Land known as **EMBU/KAMARANDI/1237.**

2) That upon the expiry of **30 days**, from the date hereof, if the Defendant, his employees, agents or servants or any person acting under him, shall not have vacated from the parcel, an order for Eviction to issue as provided by the law.

3) That the **OCS** Siakago Police Station to provide security during the Eviction process.

4) That each party shall bear its own costs of the suit.

Given under My Hand and Seal of this Honorable court at Siakago this **10th** day of **NOVEMBER**, 2021.

SUBORDINATE COURT PRINCIPAL MAGISTRATE SIAKAGO REPUBLIC OF KENYA

W. NGUMI.
PRINCIPAL MAGISTRATE
SIAKAGO

ISSUED this 10th **DAY OF** November **2021**

SUBORDINATE COURT PRINCIPAL MAGISTRATE SIAKAGO REPUBLIC OF KENYA

MAGISTRATE

PRINCIPAL MAGISTRATE SIAKAGO LAW COURT P. O. Box 93-00104 SIAKAGO

This is the exhibit marked "MIN8"
referred to in the annexed affidavit/
declaration of MICHAEL IRERI NJIRU
Sworn/declared before me this 24th
day of June 2025

Commissioner for Oaths

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT SIAKAGO

MELC CASE NO. 43 OF 2019

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
06 JUN 2019
RECEIVED
P. O. Box 93 - 60104, SIAKAGO

JOSEPH MUTURI NJIRU----------PLAINTIFF

-VERSUS-

MZEE MBUNGU----------DEFENDANT

PLAINT

(FAST TRUCK)

1. The plaintiff is an adult male person of sound mind residing and working for gain in Evurore location and whose address for service shall be care of P.O Box 95 Ishiara.

2. **The defendant is a male adult of sound mind residing and working for gain in Kianjeru Village, Evurore Location and whose address for service shall be P.O Box 95 Ishiara(*service of summons shall be effected through plaintiff*)**

3. **At all material time of this suit, plaintiff is the registered proprietor/owner of land parcel** number EVURORE/KAMARANDI/742 and has its title deed.

4. The defendant on or about the years 2016 trespassed and or illegally entered into land parcel **EVURORE/KAMARANDI/742 without any colour or right and has tilled it since then and has continued to be in illegal occupation with his family members and dependants on the same.**

5. **The defendant has been in illegal occupation and use by way of cultivation, grazing and continues to occupy the plaintiff's land parcel EVURORE/KAMARANDI/742 and has further** denied the plaintiff accessibility to the parcel.

6. **The plaintiff's claim against the defendant is for an order of eviction against Defendant his agents, family members, employees/servants/dependants and or anybody/person claiming through him from suit land Parcel no. EVURORE/KAMARANDI/742**

7. Despite demand notice of intention to sue, the defendant has refused/failed and or neglected to vacate from the plaintiff's parcel of land.

8. The plaintiff avers that there is no suit pending in any other court between the plaintiff and the defendant regarding the same subject matter.

9. The cause of action arose within the jurisdiction of this Honourable Court.

REASONS WHEREFORE the plaintiff prays for judgment against the defendant for ORDERS:-

a) An eviction order against the defendant, his family members,agents,servants,employees and or any other person claiming through him from land parcel EVURORE/KAMARANDI/742.

b) Costs of this suit.

c) Any other further relief that this Honourable Court deems fit and just to grant.

Dated this 17th **day of** June **2019**

JMN

JOSEPH MUTURI NJIRU

PLAINTIFF

DRAWN & FILED BY

Joseph Muturi Njiru

P.O Box 95

ISHIARA

TO BE SERVED UPON

Mzee Mbugu

P.O Box 95

ISHIARA

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT SIAKAGO

MELC CASE NO. OF 2019

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
26 JUN 2019
RECEIVED
P. O. Box 93 - 60104, SIAKAGO

JOSEPH MUTURI NJIRU----------PLAINTIFF

-VERSUS-

MZEE MBUNGU----------DEFENDANT

VERIFYING AFFIDAVIT

I,JOSEPH MUTURI NJIRU of P.O Box 95 Ishiara in the Republic of Kenya do hereby swear this affidavit and state as follows:-

1. That I am the plaintiff herein hence competent to swear this affidavit.
2. That I hereby confirm that all the matters contained in the plaint are all true and correct.
3. That the facts deponed to herein above is true to the best of my knowledge, information and belief.

Sworn at Siakago this 17th day of June 2019

By the said

JOSEPH MUTURI NJIRU

BEFORE

J. I. MWAI ADVOCATE
COMMISSIONER FOR OATHS
P.O. Box 802, KERUGOYA

J M

DEPONENT

COMMISSIONER FOR OATHS

DRAWN & FILED BY

Joseph Muturi Njiru

P.O Box 95

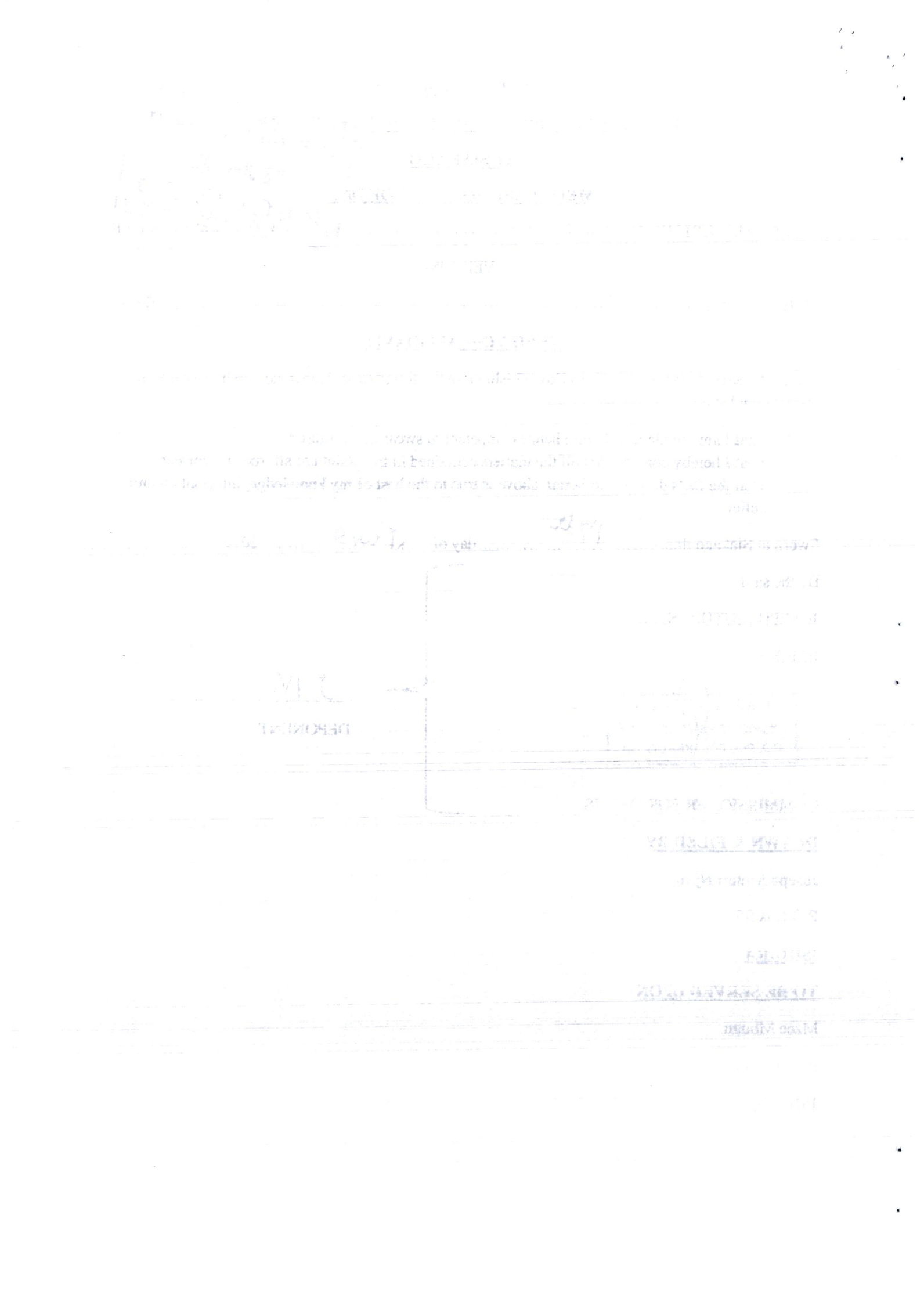
ISHIARA

TO BE SERVED UPON

Mzee Mbugu

P.O Box 95

ISHIARA



REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT SIAKAGO

MELC CASE NO. OF 2019

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
18 JUN 2019
RECEIVED
P.O. Box 93 - 60104, SIAKAGO

JOSEPH MUTURI NJIRU----------PLAINTIFF

-VERSUS-

MZEE MBUNGU----------DEFENDANT

LIST OF WITNESSES

1. Joseph Muturi Njeru
2. to be state through the courts leave

Dated this.....17th.....day of.....June.....2019

J M

JOSEPH MUTURI NJIRU

PLAINTIFF

DRAWN & FILED BY

Joseph Muturi Njiru

P.O Box 95

ISHIARA

TO BE SERVED UPON

Mzee Mbugu

P.O Box 95

ISHIARA

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT SIAKAGO

MELC CASE NO. OF 2019

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
26 JUN 2019
RECEIVED
P. O. Box 93 - 60104, SIAKAGO

JOSEPH MUTURI NJIRU----------PLAINTIFF

-VERSUS-

MZEE MBUNGU----------DEFENDANT

STATEMENT OF PLAINTIFF

1. I am a male adult of sound mind residing and working for gain in Ishiara market of Embu County
2. I am the plaintiff herein and the registered proprietor of EVURORE/KAMARANDI/742 and I have its tittle deed
3. The defendant has illegally trespassed and settled on the suit land without any colour or right.
4. That I have many times verbally warned the defendant to vacate this land and refused.
5. That as a result of the said disagreement there is no other solution apart from filing this suit.

Dated this.....17th.....day of.....June.....2019

JM

JOSEPH MUTURI NJIRU

PLAINTIFF

DRAWN & FILED BY

Joseph Muturi Njiru

P.O Box 95

ISHIARA

TO BE SERVED UPON

Mzee Mbugu

P.O Box 95

ISHIARA

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT SIAKAGO

MELC CASE NO. OF 2019

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
26 JUN 2019
RECEIVED
P. O. Box 93 - 60104, SIAKAGO

JOSEPH MUTURI NJIRU----------PLAINTIFF

-VERSUS-

MZEE MBUNGU----------DEFENDANT

LIST OF DOCUMENTS

1. Certificate of official search land parcel number EVURORE/KAMARANDI/742
2. Copy of title deed land parcel NO.EVURORE/KAMARANDI/742

Dated this.....day of.....June.....2019

JOSEPH MUTURI NJIRU

PLAINTIFF

DRAWN & FILED BY

Joseph Muturi Nj

P.O Box 95

ISHIARA

TO BE SERVED UPON

Mzee Mbugu

P.O Box 95

ISHIARA

REPUBLIC OF KENYA

THE LAND CONTROL ACT

No. 3 of 2012 (Section 108)

(Cap. 300) (Repealed)

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
26 JUN 2019
RECEIVED
P. O. Box 93 - 60104, SIAKAGO

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/743 SEARCH NO. 6/2019

On the 13TH day of JUNE 2019 the following

Were the subsisting entries on the register of the above-mentioned title:

PART A PROPERTY SECTION (EASEMENT, ETC)

Nature of Title: ABSOLUTE

Approximate area: 7.6HA (SEVEN decimal SIX hectares

PART B PROPRIETORSHIP SECTION

Name and Address of the Proprietor:—

JOSEPH MUTURI NJIRU

TITLE DEED ISSUED

Inhibitions, Cautions and Restriction:

PART C - ENCUMBRANCES SECTION (LEASE, CHARGE, ETC)

The following applications are pending:

The certified copies requested are attached

The minimum fee KSh. 500 (Five hundred only)

Date this 13TH day of JUNE 2019

P. M. Rubanga
Land Registrar 288

To: THE LAND REGISTRAR

District Land Registry.

P.O. Box

KSh. attached hereto

Signature of the applicant or his advocate

TO BE SUBMITTED IN DUPLICATE

REPUBLIC OF KENYA

IN THE PRINCIPAL MAGISTRATE'S COURT OF KENYA AT SIAKAGO

MELC NO .43 OF 2019

JOSEPH MUTURI NJIRU.....PLAINTIFF

VERSUS

SIMON BUNGU MUCHEE .....DEFENDENT

DEFENDANT WRITTEN STATEMENT OF DEFENCE

1. The defendant admits the contents of paragraph 1 of the plaint as it is descriptive paragraph of the plaintiff.
2. The defendant denies the all the contents of paragraph 2, 3, 4 and 5 of the plaint and states the land in question had been occupied by Tharaka Nine clans since 1972 and the plaintiff illegally occupied the same without the knowledge of the said clans members namely **KIRIMO M' KIRERA , KATHOKA MATHENGE, NYAMU MANGAKU, ZAKARIA MWARIA, KIANGAYU KANAKE, DHARUMBANE TAMKANDA, SALESIO KIENGA KABETE , NYAGA KABURU** and **MUTUGI NYAMU.**
3. The defendant denies the contents of paragraph 6 of the plaint and put the plaintiff to strict proof thereof.
4. The defendant denies the contents of paragraph 7 of the plaint and put the plaintiff to strict proof thereof .
5. The jurisdiction of this Honourable court is admitted.

REASONS WHEREFORE: the defendant prays for dismissal of this suit.

COUNTER –CLAIM

6. The defendant prays that there be an order for declaration that the defendant and the above named Tharaka Nine Clan be declared to have acquired land **No. EVURORE/KAMARANDI/742** by way adverse possession as they had been in occupation since 1972 uninterrupted and they have been living there with their title deed to the said parcel of land illegally on 22nd February, 2018.
7. The defendant and the Tharaka Nine Clan had been in occupation of the same.

8. The title deed attached the plaintiff is **EMBU /KAMARANDI/742.**

REASONS WHEREFORE the defendant and the Tharaka Nine Clan members prays for judgment against the plaintiff for:-

(a) A declaration that the defendant and the Tharaka Nine Clan be declared to have acquired land parcel no **EVURORE/KAMARANDI/742** through adverse possession

(b) Cost of the counter-claim.

DATED AT SIAKAGO THIS 20th DAY OF January 2020

SIMON BUNGU MUCHEE
THE DEFENDANT

DRAWN AND FILED BY
SIMON BUNGU MUCHEE
P.O BOX 95
ISHIARA

TO BE SERVED UPON
JOSEPH MUTURI NJIRU
P.O BOX 95
ISHIARA

REPUBLIC OF KENYA

IN THE PRINCIPAL MAGISTRATE'S COURT OF KENYA AT SIAKAGO

MELC NO .43 OF 2019

JOSEPH MUTURI NJIRU.....PLAINTIFF

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT

VERSUS

SIMON BUNGU MUCHEE .....DEFENDENT

RECEIVED
P. O. Box 93-60104, SIAKAGO

VERIFYING AFFIDAVIT

I, SIMON BUNGU MUCHEE OF P.O BOX 95, SIAKAGO do make oath and state as follows:-

1) THAT I am the defendant herein and hence competent to make this oath.
2) THAT I am well versed with the contents of paragraph 1, 2, 3,4,5,6, 7and 8 of the defence.
3) THAT all which is deponed herein is true to the best of my knowledge, information and belief.

Sworn by the Said **SIMON BUNGU MUCHEE**

DATED AT CHUKA THIS 20th **DAY OF** January **2020**

BEFORE ME

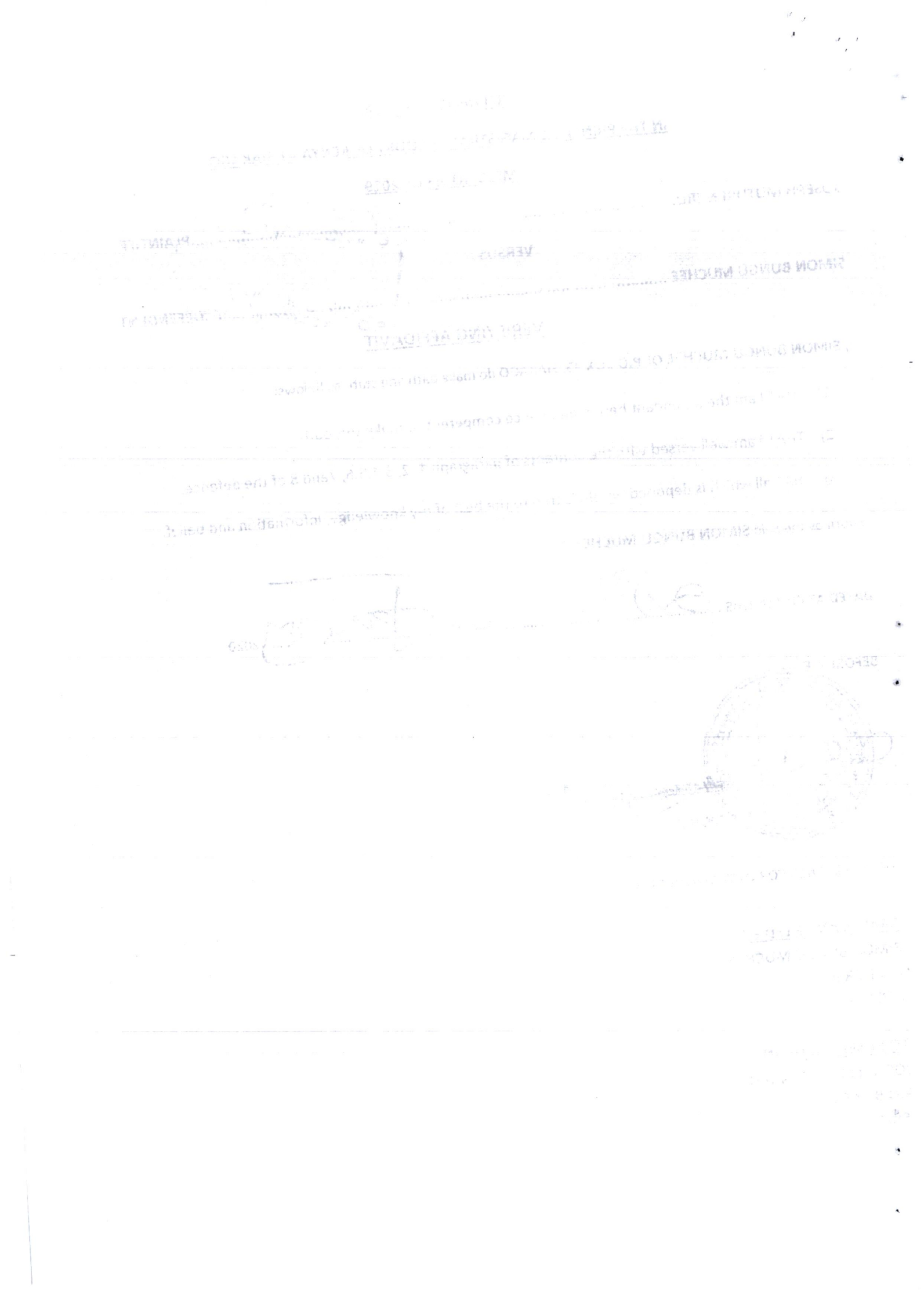
P.M. MUTANI ADVOCATE & COMMISSIONER FOR OATHS
P.O. Box 279-60400
CHUKA

DEPONENT

COMMISSIONER FOR OATHS/MAGISTRATE.

DRAWN AND FILED BY
SIMON BUNGU MUCHEE
P.O BOX 95
ISHIARA

TO BE SERVED UPON
JOSEPH MUTURI NJIRU
P.O BOX 95
SHIARA



REPUBLIC OF KENYA

IN THE PRINCIPAL MAGISTRATE'S COURT AT SIAKAGO

MCL & E CASE NO. 43 OF 2019

JOSEPH MUTURI NJIRU.....PLAINTIFF/APPLICANT

VERSUS

SIMON MBUNGU MUCHEE.....DEFENDANT/RESPONDENT

JUDGMENT

The plaintiff herein filed suit against the Defendant seeking orders:

a) An eviction order against the defendant, his family members, agents, servants, employees and or any other person claiming through him from land parcel EVURORE/KAMARANDI/742.

b) Costs of this suit.

c) Any other further relief that this Honourable Court deems fit and just to grant.

Vide a plaint dated 17th June 2019. The same together with summons to enter appearance were served upon the Defendant who filed a Memorandum of Appearance and statement of defence dated 9th June 2019. When he denied the allegations in the plaint and filed a counterclaim indicating that Parcel No. Evurore/Kamarandi/742, title had passed to the Defendant and the Tharaka nine clans as they had been in occupation since 1972 and the plaintiff had illegally

obtained the title deed on 22nd February 2018. They prayed for the dismissal of the plaintiff's case and urged the court to enter judgment for them in the counterclaim.

The plaintiff filed a defence to the counterclaim where he indicated that the parcel No. Embu/Kamarandi/742 had recently been gazetted as a land under adjudication and any person settled before that time had occupied the land illegally and their occupation could not have been legalized. He denied that the defendant had settled on the land since 1972 and that he had supporting documents to that effect and that the land was in Embu County.

On 16/12/2019, the defendant made an application to substitute Mzee Mbungu with Simon Mbungu Muchee based on the age of Mzee Mbungu and the application was allowed.

The matter came up for hearing on 11/8/2021 when the plaintiff gave his evidence and called three witnesses. PW1 Joseph Muturi Njiru told the court that he was the registered proprietor of parcel of land No. Evurore/Kamarandi/742 and had a title deed to the parcel. That the defendant had illegally trespassed and settled on the suit land with no colour of right. He had severally warned the defendant to vacate the land but he had declined to do so. He filed a further statement dated 13/11/2019 where he stated that the land had been allocated to him by Nyonga Njeru Mukandi, during the adjudication of land in Kamarandi adjudication Section. He produced a

copy of the title deed in respect to the land parcel Embu/Kamarandi/742 in his name issued on 22/02/.2018. He also produced a certificate of official search in respect to the land parcel dated 13/06/2019.

He further produced a copy of the members of Nyonga clan who owned land at the Kamarandi adjudication Section, and a sketch map showing his parcel of land as an exhibit. He urged the court to allow the prayers sought.

On cross examination, he told the court that his father lived on the land and could point out where he lived. He was however not born on the land as he lived at Ciangara. That the Defendant settled on the land in 1984 after the draught and not border anyone as he was on his land. That Jumbo Njeru Mugogo and Maria Ndei all lived on the land. He did not have a case with the defendant but the father lived on the land.

PW2 Peter Gitonga Njue adopted his statement dated 20/4/2021 where he stated that he knew the plaintiff was the registered owner of the parcel Embu/Kamarandi/742. The plaintiff had on April or May 2020 built a small shelter on the land for use where he cultivated and planted cowpeas, beans and sorghum on the land, which was demolished by the defendants and strayed his goats in the shamba, which destroyed his crop.

He did not know how long Mzee Mbungu had lived on the land. He urged the court to grant the eviction orders.

PW3 Tabitha Mbuva Karera told the court that the husband was allocated land parcel Embu/Kamarandi/745 by the clan chairman Njeru Mukundi. That the defendant was not a member of the clan and could hence not own land at the place. That the defendant, Mzee Mbungu was of Tharaka origin and went and settled on the land without permission. She denied that the defendant was on the land when the land adjudication was being done. That the defendant's father had never lived on the land, but on a different parcel of land.

PW4 Tharaka Nyaga said that parcel No. Embu/Kamarandi 740 was allocated to her late husband by the clan chairman Njeru Mukundie. Her late husband was of the same clan as the plaintiff herein, and that the defendant was a stranger on the land. That she knew Mzee Mbungu. He got to the land during the adjudication process. She did not live on the land as she had left a long time ago when Kenyatta was the President of Kenya. That the defendant had buried their people on the land but the plaintiff had not constructed on the land.

The Defendant gave his evidence on 18/05/2022 and called two other witnesses.

DW1 Simon Mbungu Muchee told the court that he did not know the plaintiff and only saw him in court. He adopted his statement dated 24/08/2022 as his evidence

in chief. In his statement, he indicated that he was born and had been residing on the father's land since 1963 and they had done developments on the land. He did not have documents in support of the land. He urged the court to direct that the land belonged to the father. His land did not have a parcel number.

DW2 Njeru Magugu told the court that the said M'rubane had been residing on the land which he had inherited from his father Mpungu Ngoru and that the late M'rubane the father to Mpungu Ngoru had been buried on the land. That the defendant was older than him and had been born on the land. He did not know the defendant's land parcel number and the land had not been surveyed.

DW3 Itumbo Njagi told the court that M'rubane was his neighbour and had inherited the land from his parents Mpungu Ngoru. He did not know whether adjudication was done, and those who surveyed the land stole their land. They did not report that their land had been stolen. That he was born at the place in 1930. He did not know his land parcel number. That the land belonged to the 9 Tharaka clans.

At the close of the defendant's case, the parties filed

their submissions. The plaintiff filed his submissions on 26/05/2022. They submitted he was the registered legal owner of land parcel No. Evurore/Kamarandi/742 and had a title deed, and that his four witnesses supported his claim to be true. That the defendants did not produce any legal document to

prove ownership of the land he occupied and could not tell the land parcel number of the land they occupied, they neither had authority to plead on behalf of the Tharaka clans. He urged the court to allow the claim and order for the reimbursement of their expenses.

The defendant on the other hand filed his submissions on 23/05/2022. He stated that the defendants entered on the land in 1972 which was occupied by the Tharaka nine clans and the plaintiffs acquired the titles illegally without the knowledge of the clan members. That he urged the court to make a declaration that the land Evurore/Kamarandi/742 had been acquired through adverse possession. He urged the plaintiff's case to be dismissed with costs.

I have looked at the evidence tendered as well as the submissions filed in the case. The plaintiff allege to be the bonafide owner of all the parcel known as Evurore/Kamarandi/742 and that he had a title deed to the effect having been allocated the land during land adjudication. The defendants on the other hand allege that the title is illegally obtained as they had been residing on the land and the title had passed to them by dent of adverse possession having been in occupation of the land since 1972. The plaintiff's prayers were those of eviction of the defendants from the parcel.

I have looked at the title deed produced by the plaintiff. On perusal of the title deed, I note that the title to the land was issued on 4/10/2017 but given on the 22nd February 2018.

Section 24 of the Land Act Cap 300 Laws of Kenya provides:

> ***"The registration of a person as the proprietor of land shall vest in that person the absolute ownership of that land together with all rights and privileges belonging on appurtenant thereof."***

Section 26 provides:

> ***"The certificate of title issued by the registrar upon registration or to a purchaser... shall be taken by all courts as prima facie evidence that the person named as proprietor of the land is the absolute and indefeasible owner subject to the encumbrances, easements, restrictions and conditions contained or endorsed in the certificate and the title of that proprietor shall not be subject to challenge except;***
>
> ***a) on the ground of feud or misrepresentation to which the person is proved to be a party or***
>
> ***b) where the certificate of title has been acquired illegally, un procedurally or through a corrupt scene.***

Looking at the evidence on record, the plaintiff is the registered owner of the land and was issued with the title deed. There is no evidence tendered by the defendants to prove that the title was obtained fraudulently or that there was misrepresentation at the time of acquisition of the title. No illegality or unprocedural act or even a corrupt scene was proved against the plaintiff in the manner or in the process of acquisition of the title deed. The title by the plaintiff can hence be deemed to be legally acquired and binding.

The defendants claim advance possession having settled on the land in 1972 before the land adjudication was done. The question that issues is whether the title to the land had passed to the defendants through adverse possession.

Section 7 of the Limitation of Action Act provides:

> ***"An action may not be brought by any person to recover land after the end of twelve years from the date on which the right of action accrued to him or, if it first accrued to some person through whom he claims, to that person."***

In this case, the defendants argue that the title in the land has passed to them by way of adverse possession as they have been in actual possession of the land from 1972 and hence the plaintiff is barred from claiming ownership or even evicting them.

From the evidence on record, it is not disputed that the Defendants are the ones in actual possession of the land which they claim is owned by the Tharaka 9 clans.

They do not know the land parcel number and dispute that the parcel was ever surveyed and if it was done, the surveyors stole their land. They appear to be laying claim of a parcel whose identity they do not have. That besides the point, the court wonders when the time begins to run. The court in the case of **Koech Kangogo – vs- Chebii Yego [2018] eKLR** found itself in the same situation where a party claimed adverse possession indicating that they had been in occupation of the land well before and during the adjudication process and hence title had passed to them. **The learned Judge Ombayo J. held:-**

> ***"The defendant in this matter became the registered proprietor of the suit land on 20/05/2003. Prior to that, there was the process of consolidation, demarcation and adjudication. This court finds that time does not run during consolidation, demarcation and adjudication. Time starts running on the date of registration. In this case, time started running on the 20/5/2003 when the defendant was registered as the proprietor of the*** suit ***land."***

In the current suit as stated earlier, the plaintiff herein was registered as the proprietor of the land on 4/10/2017. This suit was filed on 21/06/2019. He had only been the registered owner for three years.

In the above case (Supra) the learned Judge proceed to hold:-

> ***"I do find the suit to have been filed prematurely and that the plaintiff does not succeed in adverse possession as 12 years had not lapsed at the time of filing the suit from the date the defendant was registered as the proprietor of the land. The plaintiff could have taken possession in 1984, however, the possession did not amount to adverse possession as the land was still under adjudication until 20/5/2003 when the right to recover the suit land from the plaintiff accrued and time started running."***

Similarly, based on the above holding, the prayers by the defendants are premature as the duration of 12 years had not elapsed. The possession of the defendants from 1972 cannot be deemed to be adverse possession. The prayer hence fails.

Having established that the plaintiff is the registered owner of the land and has all the rights as provided for under Section 24, 25 and 26 of the Registration of Land Act, I find that the defendants have no claim or legal intent on his parcel of land. He is hence entitled to the prayers sought.

In the circumstance, the court makes the following orders:

1. An eviction order against the defendant, his family members, agents, servants, employees and or any person claiming through him from land parcel Evurore/Kamarandi/742 do and his hereby issued.

2. The counterclaim by the defendants is hereby dismissed.

3. Each party to bear its own costs.

Delivered, dated and signed at **Siakago** this **..... day of ....., 2022.**

W. Ngumi – PM

Annex III:

Petitioners Submissions

THE SENATE
30 NOV 2023
DEPUTY CLERK (M.A.)

REPUBLIC OF KENYA

THIRTEENTH SENATE

THE SENATE ASSEMBLY

PUBLIC PETITION

30 NOV 2023

NO.....OF 2023

PUBLIC PETITION REGARDING THE PLIGHT OF THE LANDLESS IN MUTHANTHARA EMBU COUNTY

THE SENATE
30 NOV 2023
DIRECTOR LEGISLATIVE AND PROCEDURAL SERVICES

WE THE UNDERSIGNED on behalf of the residents of Muthanthara Sub-location Mbeere North in Embu County and on behalf of the nine clans:-

① DLPS
Please deal.
[signature] 30/11/23

DRAW the attention of the house to the following:-

1) **THAT** the petitioners and the larger community of Muthanthara Village has been without title documents to the land they occupy since independence.

2) **THAT** all attempts by the petitioners and or their leaders at the grassroot level to move the Government of Kenya to issue them with title deeds to the parcels they occupy has never materialized.

3) **THAT** some of the residents from the Mbeere side has been forcefully evicted from the arrears they occupy and the residents of Muthanthara are living in fear of eviction by the people who claim to own title deeds to the parcels they occupy.

4) **THAT** the matters in respect of which this petition is raised are not pending before any court of law, constitutional or legal body.

5) **THAT** the petitioners has approached the ministry of lands, the provincial of Embu, the National land Commission, the cabinet Secretary of land, the registrar of land Siakago, the Presidential Offices i.e the District Commissioner Provincial Commissioner, Member of parliament, Criminal investigation Department (C.I.D) Eastern Province 1996, Secretary Agency Eastern Province and several letter written to various Government Institutions, BUT NO Action has been taken.

THEREFORE your humble petitioners prays that the National Assembly through the Department Committee on land;

(a) **THAT** the residents of Muthanthara be registered with piece of land they occupy and be issued with title Deeds after the demarcation process.

Ms. Mathaña
Please prepare a necessary RO.
Chanda
01/12/23.

14

② Mr. Mogere (DD LSPS)
PS process
[signature] 30/11/23

③ Mr. Chanda
Please deal.
[signature] 01.12.23

⑤ Ms. Natasha
Please process the petition.
A. Mathaña

PUBLIC PETITION REGARDING THE PLIGHT OF THE LANDLESS IN MUTHANTHARA EMBU COUNTY

(b) **THAT** the Senate Assembly to give directions regarding our ownership status and to shield us from harassment by third parties.

(c) **THAT** the Senate Assembly do initiate in motion proceedings to declare Muthanthara an adjudication area.

(d) **THAT** make any other order that it deems fit in the circumstance of this petition.

AND your Petitioners will ever pray:-

PRESENTED BY:-	ID/NO.	SIGN
1. PETER KANGWARU NYAGA	5333488	
2. KIRIMO M'KIRERA	7114934	KATHOKA
3. KATHOKA MATHENGE	0297655	
4. SALESIO NGUNDU	13493133	
5. SALESIO K. KABETE	11150861	
6. JOSPETER NJERU NYAMU	13263397	KIHIKO
7. KIBIRO NGUKU	3786341	
8. PHILLIPO NYAGA	10059585	
9. JOHN NJERU KARUNGA	0297502	
10. MUTUGI NYAMU	3751930	
11. CHARLES MUCUMBI	9062597	
12. JACOB NJUE	0395143	
13. SAMUEL NYAGA	3787882	
14. ROBERT IGUNA	11420865	
15. JACOB NJUKI MUTHEE	24120533	MUTHEE
16. JOHN M. KIRIENE	13248611	
17. BENARD M. MUSA	29216500	
18. KIRUGI G. NJERU	30007242	

PUBLIC PETITION REGARDING ENCROACHMENT OF LANDLESS IN MUTHANTHARA EMBU COUNTY

19. JOSEPH M. MUTHEE	23098096	MUTHEE
20. SALESIO M. MUTHEE	22762382	
21. ISAAC NTHIGA YOHANA	9284807	
22. GEOFFREY NYAGA MUCEE	9413246	
23. JULIUS GITEMBA KANAMPIU	11556147	
24. JAMES GAKUBI NJAGI	3777773	
25. KANAMBIO CHOMBOCHO	3750815	

WRITTEN BY:-

1. PETER KANGWARU NYAGA
   P. O BOX 153 ISHIARA
   EMBU
   Email: peternyaga528@gmail.com 0721 886 839
   : peterknyaga@yahoo.com
   I/D No. 5333488
   Sign:.....

Dated at Muthanthara this.....22nd.....day of.....Tuesday.....Aug.....2023

DEPUTY CLERK - MA'S OFFICE
RECEIVED
12 AUG 2025
P.O. Box 41842 - 00100, NAIROBI

THE SENATE CLERKS OFFICE
RECEIVED
12 AUG 2025
P.O. NAIROBI

07TH AUGUST, 2025

RE: LETTER OF REMINDER FOR PETITIONER MUTHANTHARA PLIGHT OF THE LANDLESS EMBU COUNTY

Dear Sir/Madam,

The Tharaka (Minority) Community are Tharaka speaking community primarily residing in Muthanthara since colony to date particularly in Embu County. Despite their rich cultural heritage and significant contributions to the region they continue face systemic exclusion and marginalization.

We petitioned to the Senate by residents of Muthanthara Sub Location regarding the plight of the landless in Muthanthara Embu Country the petition was reported on Thursday, 15th February, 2024 by the Rt.Hon. Speaker and subsequently committed to the standing committee on land, Environment and Natural Resources. Having reviewed in line with the Senate Standing Orders, this is to advice that the petition was found compliant to section 3 of the petition to parliament (Procedure) Act and Senate Standing Order 235 on the form of a public petition.

This was acknowledged on 16th February 2024 (REF.SEN/PETITIONS/NO.186/2023) to the Petitioners,

C/O PETER KANGWARU NYAGA
P.O.BOX 153, ISHIARA, EMBU
EMAIL: peternyaga528@gmail.com

After it's committee sitting on 30th April, 2024 the committee considered the aforementioned Petition and resolved to request for further documentation on the matter for verification and to invite Petitioners to apprise the committee on matters relating to the Petition.

They sent letter REF: SEN/DSEC/DPEAC/LENR/2024(3)(26) date on 30th April,2024
Peter Kangwaru Nyaga
C/O Petitioners
P.O.BOX 153, ISHIARA
EMBU

The purpose of the letter was to invite Petitioners to a meeting of the committee to be held on Tuesday, 7th May, 2024 in Committee Room 08 First Floor Bunge Tower at 10:00 am. Thereafter I went in company of 13 Elders representing the Petitioners and I submitted all documentations which were needed to Senate Committee on Land, Environment, Forestry, Wildlife, Mining, Water Resource Management and development under chairman Sen. Hon Mohamed Faki Mwinyiaji visited Muthanthara Sub Location for fact-finding on 31st May 2025 congratulations to the Chairperson and the team on behalf of the Senate as the Champion Professionalism, Integrity and accountability to Senior Leadership roles which reflects the depth of humility you bring to Tharaka Minority Community. I wish you great success and the welfare often. Sen Faki Hongera Sana!.

(1) DLPS
Please deal
MA
12/8/25

(2) Ms. Machana.
Please process.
D. Chania.
12/08/25

(3) Ms. Natasha
Kindly process.
A. Machanda
12/8/2025

I also congratulate Mr. Victor Bett, Clerk Assistant who is responsible for all arrangements relating to this matter appointed for a serious job. May God grant him wisdom and courage. I salute you on behalf of petitioners Our own Congrats sir.

I am glad the tribulations and Plight of Muthanthara residents who are facing forceful eviction by the people who claim to own the Land parcels we currently occupy is now in public domain. The legitimate hope of Muthanthara residents is to get registration documents for the pieces of land they have occupied since 1960's and be issued with their title deeds after demarcation process (Evidence letters within) as well as the local Administration from location level up to the provincial Commissioner with our Plight remaining unresolved.

The Tharaka Community has lived in the area for more than 100 years. They don't have any other place to call home we presented our complaints to the District Officer, District Commissioner, Criminal Investigation Department, District Land Registrar, ministry of lands and settlement headquarters at that time with no resolution forth coming.

Security agencies in Eastern Province did nothing even after letters were written to them after deadly clashes erupted between Mbeere and Tharaka communities after having co-existed peacefully for decades in 1993. Visits by Tharaka elders to various Government agencies yielded nothing. The Tharaka minority community living in Muthanthara has endured decades of maladministration and discrimination. Through this petition, we hereby humbly request the fact finding through this committee of the Senate of the Republic of Kenya be expedited so as to establish the truth regarding the real ownership status of the land in question.

Conclusive resolution of this matter will not only entrench peaceful coexistence and tranquility but also secure and protect the Tharaka minority community from harassment and intimidation by third parties.
We request the Government to impartially enforce the Law to get rid of all organized criminal fraudsters that are terrorizing the Minority Tharaka Community in Muthanthara, Embu. We appeal to the Ministry of Lands to initiate the process of declaring Muthanthara an adjudication area.

We are aware that there are Government officials who were involved in fraudulent issuance of Title Deeds to the people who don't even know the area of Muthanthara Sub-Location, Kamarandi Location, Mbeere North in Embu County. Our prayer is that this Senate Standing Committee on Land, Environment and Natural Resources hears our Plea and make orders they deems fit for our legitimate right to own land is realized.

We pray that the land we have called home for decades is adjudicated, registered and that the Tharaka Community is Issued with title deeds as testament for the land ownership. and your Petitioners will ever pray.

Presented by,
Coordinator Peter Kangwaru Nyaga
c/o Petitioners Cell Number: +254 721886 839,
e-mail: nyagapeter028@gmail.com

Is the coordinator to the petitioner committee and is responsible for all arrangements relating to this matter.

Yours faithfully,
Mr. Peter Kangwaru Nyaga
c/o Petitioners,
P.O. BOX 153
Embu.

COPY TO:

1. CABINET SECRETARY & ADMINISTRATION
   HARAMBEE HOUSE, HARAMBEE AVENUE
   P.O. BOX 35010-00100 NAIROBI
   info@interior.go.ke

2. DEPUTY PRESIDENT OF THE REPUBLIC
   OF KENYA HARAMBEE HOUSE
   ANNEX, HARAMBEE AVENUE
   P.O. BOX 74434 - 00200 NAIROBI
   dp@deputypresident.go.ke

3. MINISTER FOR LANDS & SETTLEMENT
   GOVERNMENT OF THE REPUBLIC OF KENYA
   ARTHI HOUSE, NAIROBI
   info@landcommission.go.ke

4. TRUTH, JUSTICE AND RECONCILIATION
   COMMISSION - KENYA 5TH FLOOR NHIF
   CAR PARK, RIGATHI ROAD
   P.O. BOX 14641 - 00800 NAIROBI
   haki@knchr.org

5. ATTORNEY GENERAL, SHERIA HOUSE,
   HARAMBEE AVENUE,
   P.O. BOX 40112 - 00100 NAIROBI
   info@ag.go.ke

6. THE NATIONAL LAND COMMISSION
   P.O. BOX 44417 - 00100 NAIROBI
   info@landcommission.go.ke

7. GOVERNOR H.E CECILY MBARIRE
   P.O. BOX 36 - 60100, EMBU
   info@embu.go.ke

FROM:

THE PETITIONERS,

MUTHANTHARA SUB-LOCATION,

MBEERE NORTH SUB-COUTY,

EMBU COUNTY,

31ST MAY 2025.

THE CHAIRPERSON,

HON SENATOR,

CHAIRPERSON, STANDING COMMITTEE ON LAND, ENVIRONMENT AND NATURAL RESOURCES,

PO BOX 41842-00100,

PARLIAMENT BUILDING,

NAIROBI.

Hon senator the chairperson, Hon Sen. Mohammed Mwinyihaji Faki,MP all distinguished guest, ladies and gentlemen, I great you all.

It is my privilege and honor to stand before welcoming you all in Muthanthara sub location, Kamarandi Location, Mbeere North Sub County, Embu County.

I am also glad to present to you; Tharaka historical land injustice in Muthanthara Sub location, Kamarandi sub location in Mbeere North Sub county Embu County

Hon chairperson, Tharaka community herein referred to as the minority group (community) living in this area Mbeere North Sub-County Embu County at the boarder of Tharakanithi County Lived in the area since 1901. This tribe has been living in the area as one of the smallest tribe in the region as farmers and livestock keepers for the last 100 years.

Hon chairperson, come in 1972, by then the chief Mr. Maguu Mutie carried land survey and demarcation in the area who appointed the land committee of Tharaka tribe of ten members as follows;

1. Njengu Thiora
2. Nthiga M`ngoci
3. Mbiiri Nthombore
4. Kibui Mangaku
5. Withauka Mugane
6. Ntomboro chovia
7. Njeru Kithinji
8. Kiriambogo Njechu
9. Kimundu Njeru Makunyi
10. Ngochi M`kimake

Names as they appear in ID cards and land registry in Nairobi Tharaka Land committee 1972 to oversee the demarcation as it was to be allocated to their community members. Then Hon Chairperson, the chief dumped the Tharaka tribe record after full survey was carried out in the area. Who later did not issue title deeds to Tharaka community who were living in this land (our ancestors) despite the fact that he had assured them for but when the title deed were out, the group came to learn after some years that foreigners benefited with rightful ownership document (title deeds).

Hon chairperson, the then chief Mr. Maguu Mutie held a meeting on 21st August 1975 whereby he ordered all the Tharaka community to vacate by giving them verbal seven days' notice on 31st of August 1975, Mr. Maguu Mutie (chief) came during the midnight with administration police officers armed with guns and Rungus and beaten up Tharaka Community badly therefore inflicting some injuries and deaths to the minority group. Hon chairperson this was reported at Runyenjes police station on 02/09/1975

Hon chairperson, after realizing this controversies Tharaka community through their elders met and draws several complaints letters to different government agencies which were never responded to.

Hon chairperson after these complaints were plainly heard ,the district commissioner sent DO 1 to Muthanthara area and cautioned Mbeere group to stop violating and threatening the lives of other tribes who had lived in the area for long. These threats were sponsored or supported by the foreigners who acquire tittle deeds in the area cheating Mbeere community that the land tittle deeds belongs to them. Hon chairperson most of the foreigners were land surveyors clerks and officers who own more than three parcels of land in Muthanthara in 1972 without the knowledge of Tharaka land committee and community at large.

Hon chairperson, by acquisition of these parcels by foreigners we suspected that the chief Maguu Mutie used these foreigners to grab the land of our ancestors without the knowledge by abandoning all the members of Tharaka people from the land register that was used after demarcation without knowing that he had submitted Tharaka land committee list to land

registrar in Nairobi because none of the Tharaka community was given mandate to oversee the land register because of so called ''chief's order''

Hon chairperson, after following it up we came to realize that the land problem has been influenced by the chief Maguu Mutie who later went to an extent of assisting the foreigners to acquire tittle deeds from Muthanthara land where the owners are Tharaka people who were left to cry without support .

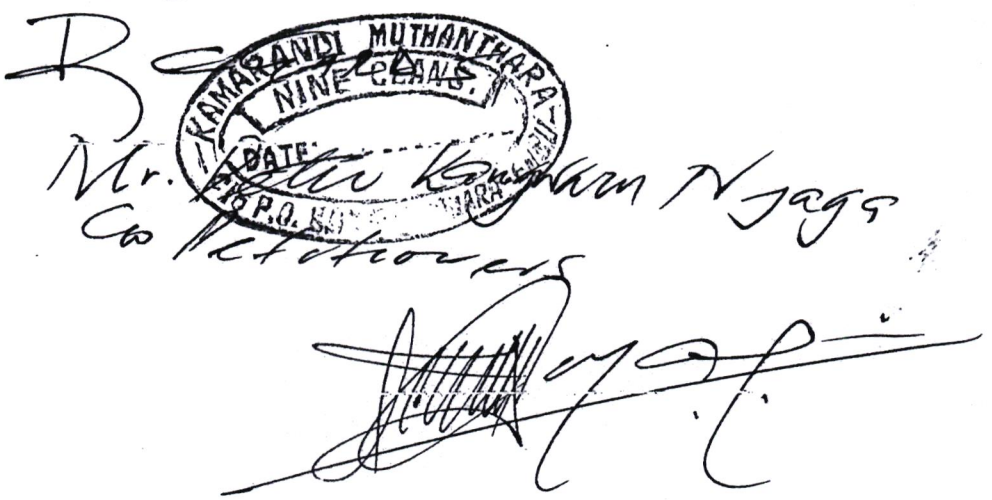
Hon chairperson, we through the district land registrar we applied for searches which were issued out on 9TH October 2008 indicating tittle numbers and beneficiaries marked EMBU/KAMARANDI/499 to Embu/Kamarandi/518 being a total of 293 title deeds list attached.

Hon chairperson our request is kindly to intervene and possibly assist us, we Tharaka community to have our land ownership document as well as putting off the use and ownership of these tittle deeds owned by foreigners who are still using the recent chief or administration officers to threaten our community as this could bring crisis between Mbeere people and Tharaka.

Hon chairperson it has also contributed to tribal discrimination among the two communities where Tharaka community living in Muthanthara cannot get jobs, leadership or do any development.

Hon chairperson it is our trust that through the senate standing committee on land, environment and natural resources shall THARAKA people get justice.

Thank you



KAMARANDI MUTHANTHARA NINE CLANS. DATE: P.O. BOX ... THARAKA

Mr. [illegible] Kamaran Njaga
Co Petitioners

MH 3 — MH 4

NO	REFERENCE NUMBER	NAME OF REGISTERED PROPRIETOR	AREA
1	EMBU/ KAMARANDI/499	NJERU NJOBANO	26.5HA
2	EMBU/KAMARANDI/518	COUNTY COUNCIL OF EMBU	3.2HA
3	EMBU/KAMARANDI/519	NJERU NJIRU	8.4 HA
4	EMBU/KAMARANDI/520	COUNTY COUNCIL OF EMBU	0.6 HA
5	EMBU/KAMARANDI/527	NJIRU KIURA	9.8 HA
6	EMBU/KAMARANDI/533	DAVID KAUMBUTHU MWANGANGI	4.4 HA
7	EMBU/KAMARANDI/534	NJOMO NJERU	3.4 HA
8	EMBU/KAMARANDI/535	NJERU NJUE	3.2 HA
9	EMBU/KAMARANDI/536	MIKORO MBANGWA	4.8 HA
10	EMBU/KAMARANDI/537	NJONDE NDUIGA	6.0 HA
11	EMBU/KAMARANDI/538	MICHENI E. M'RIRIA	4.0HA
12	EMBU/KAMARANDI/539	NYAGA KIRIMA	2.2 HA
13	EMBU/KAMARANDI/540	BENSON GICHONI KAGAU	4.4 HA
14	EMBU/KAMARANDI/541	PATRICK NGUNGI	5.0 HA
15	EMBU/KAMARANDI/542	MICENI NJUE	5.0 HA
16	EMBU/KAMARANDI/543	NGAI NYAGA	8.0 HA
17	EMBU/KAMARANDI/544	NJUE NJIRU	5.0HA
18	EMBU/KAMARANDI/545	GITHENDU NJIRU	4.0 HA
19	EMBU/KAMARANDI/546	MUTEMI GITWARI	3.8 HA
20	EMBU/KAMARANDI/547	NJUE GICHEKO	1.4 HA
21	EMBU/KAMARANDI/548	MAGU KIBARU	3.4 HA
22	EMBU/KAMARANDI/549	MURANGI GAKINYA	2.4 HA
23	EMBU/KAMARANDI/550	JOSPITER KIURA NJIRU	2.2 HA
24	EMBU/KAMARANDI/551	NJUE NDWIGA	2.4 HA
25	EMBU/KAMARANDI/556	CHARAGU GACIGIWA	36.0 HA
26	EMBU/KAMARANDI/557	FRANCIS ROBERT MWANGI GITURU	10.8 HA
27	EMBU/KAMARANDI/558	NJERU GACHIEGU	23.0 HA
28	EMBU/KAMARANDI/559	NJAGI THAGICA	25.0 HA
29	EMBU/KAMARANDI/560	NYAGA S/O KACHIGU	24.0 HA
30	EMBU/KAMARANDI/561	NJERU MATUMO	36.0HA
31	EMBU/KAMARANDI/562	GEOFREY MWAURA NDAI	12.2HA
32	EMBU/KAMARANDI/578	KIARIE IRERI	1.8 HA
33	EMBU/KAMARANDI/579	JOSEPH IRERI MURUGI	1.7 HA
34	EMBU/KAMARANDI/580	NGAI UTUKU	2.8HA
35	EMBU/KAMARANDI/581		
36	EMBU/KAMARANDI/582	ROSEMARY NJERI WACHIRA	7.0HA
37	EMBU/KAMARANDI/585	JOSEPH NJOROGE NDUNG'U	32.2 HA
38	EMBU/KAMARANDI/586	MOFFART NYAGA KAGAU	25.0 HA
39	EMBU/KAMARANDI/587	THOMAS GATURI GICHIGU	21.0 HA
41	EMBU/KAMARANDI/588	NGONDU KANDAVA	35.5 HA.
42	EMBU/KAMARANDI/589	MBAKA MURUAMBURA	23.5 HA
43	EMBU/KAMARANDI/590	AHMEN MOHAMMED OSMAN SHEIKH MOH	6.2 HA
44	EMBU/KAMARANDI/591	NYAGA KANYOTI	9.8 HA

45	EMBU/KAMARANDI/592	BENARD MURIITHI MAHU	9.6 HA
46	EMBU/KAMARANDI/593	NYAMU MUTHARA	23.0 HA
47	EMBU/KAMARANDI/594	NYAMU MUTHARA	23.0 HA
48	EMBU/KAMARANDI/596	ELIJAH CIRA NGAHU	38.0 HA
49	EMBU/KAMARANDI/597	NJUE NJIRU	10.6 HA
50	EMBU/KAMARANDI/598	MOFFART NYAGA KAGAU	16.0 HA
51	EMBU KAMARANDI/599	KINYUA KABUTHI	13.4 HA
52	EMBU/KAMARANDI/600	HANNAH MUKAMI KIRUHI	16.0 HA
53	EMBU/KAMARANDI/601	NJERU MUREFU	23.0 HA
54	EMBU/KAMARANDI/602	(1).JEREMIA GACHIGU (2).JOSPHAT GICAGU	21.5HA
55	EMBU/KAMARANDI/603	KIANGA MWANIKI	10.4 HA
56	EMBU/KAMARANDI/604	NJOKA NYAGA	8.8 HA
57	EMBU/KAMARANDI/605	NJUE NJIRU	10.6 HA
58	EMBU/KAMARANDI/606	JONATHAN NJERU NDABAYA	12.6 HA
59	EMBU/KAMARANDI/607	NDUIGA NJAGI	15.0 HA
60	EMBU/KAMARANDI/608	EPHINTUS MAKANYA NJERU	15.0 HA
61	EMBU/KAMARANDI/609	NJOGU NYAGA	12.2 HA
62	EMBU/KAMARANDI/610	SALESIO NDWIGA JOSPHAT (Minor)	5.6 HA
63	EMBU/KAMARANDI/611	EPHANTUS GITHINGU,MURITHI DAVID	4.8 HA
64	EMBU/KAMARANDI/612	COUNTY COUNCIL OF EMBU	12.4 HA
65	EMBU/KAMARANDI/613	GITONGA NGONDU (Minor)	44.0 HA
66	EMBU/KAMARANDI/614	NYAGA THAGICA	13.6 HA
67	EMBU/KAMARANDI/615	JOSEPH NGACHA KARANI	7.0 HA
68	EMBU/KAMARANDI/616	NGOROI GICEGE	1.9 HA
69	EMBU/KAMARANDI/617	NJUKI KIREMA	5.6 HA
70	EMBU/KAMARANDI/618	STANELY MURIITHI PAUL	6.8 HA
71	EMBU/KAMARANDI/619	NGAI KIRETHIO	9.6 HA
72	EMBU/KAMARANDI/620	ABDULLAMAN KARANJA NGANGA	8.0 HA
73	EMBU/KAMARANDI/621	IRERI GICHUGU	8.8 HA
74	EMBU/KAMARANDI/623	SAMUEL NJERU NGATHO	9.0 HA
75	EMBU/KAMARANDI/624	MUCHIRI NGURUKUBI	9.2 HA
76	EMBU/KAMARANDI/625	RICHMOND MUNYIRI MUGAMBI MUGAMBI	3.6 HA
77	EMBU/KAMARANDI/626	NGOROI THAGICA	8.6 HA
78	EMBU/KAMARANDI/627	MUCHIGATE KABUTHI	8.2 HA
79	EMBU/KAMARANDI/628	FRANCIS MBURU NJERU	15.0 HA
80	EMBU/KAMARANDI/629	MUTINDI NJUNDU	3.6 HA
81	EMBU/KAMARANDI/630	KAGETA NGURUKUBI	2.8 HA
82	EMBU/KAMARANDI/631	VENUS DISTRIBUTORS LTD	29.0 HA
83	EMBU/KAMARANDI/633	UTUKU KITHINJI	9.6 HA
84	EMBU/KAMARANDI/634	GAKABU NJAGI	10.0 HA
85	EMBU/KAMARANDI/635	MWANIKI KAGETHA	6.8 HA
86	EMBU/KAMARANDI/636	NJUE NJERU	9.0HA
87	EMBU/KAMARANDI/637	NICHOLUS NGOCHI NJERU	6.8 HA
88	EMBU/KAMARANDI/638	UTUKU KITHINJI	5.8 HA

45	EMBU/KAMARANDI/592	BERARD MURITHI MAHU	9.6 HA
46	EMBU/KAMARANDI/593	NYAMU MUTHARA	23.0 HA
47	EMBU/KAMARANDI/594	NYAMU MUTHARA	23.0 HA
48	EMBU/KAMARANDI/596	ELIJAH CIRA NGAHU	38.0 HA
49	EMBU/KAMARANDI/597	NIUE NJIRU	10.6 HA
50	EMBU/KAMARANDI/598	MOFFART NYAGA KAGAU	16.0 HA
51	EMBU/KAMARANDI/599	KINYUA KABUTHI	13.4 HA
52	EMBU/KAMARANDI/600	HANNAH MUKAMI KIRUHI	16.0 HA
53	EMBU/KAMARANDI/601	NJERU MURETI	23.0 HA
54	EMBU/KAMARANDI/602	(1) JEREMIA GACHIGU (2) JOSPHAT GICAGU	21.5HA
55	EMBU/KAMARANDI/603	KIANGA MWANIKI	10.4 HA
56	EMBU/KAMARANDI/604	NJOKA NYAGA	8.8 HA
57	EMBU/KAMARANDI/605	NIUE NJIRU	10.6 HA
58	EMBU/KAMARANDI/606	JONATHAN NJERU NDABAYA	12.6 HA
59	EMBU/KAMARANDI/607	NDUIGA NJAGI	15.0 HA
60	EMBU/KAMARANDI/608	EPHINTUS MAKANYA NJERU	15.0 HA
61	EMBU/KAMARANDI/609	NJOGU NYAGA	23.4 HA
62	EMBU/KAMARANDI/610	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
70	EMBU/KAMARANDI/618	[illegible]	5.6 HA
71	EMBU/KAMARANDI/619	STANLEY MURITHI PAUL	8.8 HA
72	EMBU/KAMARANDI/620	NGATIKIRITHIO	3.6 HA
73	EMBU/KAMARANDI/621	ABDULLAMAN KARANJA NGANGA	8.0 HA
74	EMBU/KAMARANDI/623	[illegible] GICHUGU	8.8 HA
75	EMBU/KAMARANDI/624	SAMUEL NJERU NGATHO	9.0 HA
76	[illegible]	MUCHIRI NGURUKUR[illegible]	6.2 HA
77	EMBU/KAMARANDI/[illegible]	[illegible] MUTHURI MUGAMBI NJUGUNA	7.6 HA
78	EMBU/KAMARANDI/[illegible]	NGORO THUGIA	3.6 HA
79	EMBU/KAMARANDI/625	[illegible] KABUTHI	8.2 HA
80	EMBU/KAMARANDI/[illegible]	FRANCIS MBURU NJERU	15.0 HA
81	EMBU/KAMARANDI/[illegible]	MUTUNGI NJUNGU	3.6 HA
82	EMBU/KAMARANDI/[illegible]	[illegible] NDURITU[illegible]	2.8 HA
83	EMBU/KAMARANDI/[illegible]	[illegible] DISTRIBUTORS LTD	29.0 HA
84	EMBU/KAMARANDI/[illegible]	[illegible] KITHINJI	9.6 HA
85	EMBU/KAMARANDI/[illegible]	[illegible] NYAGA	10.0 HA
86	EMBU/KAMARANDI/[illegible]	[illegible] KAGITHA	6.8 HA
87	EMBU/KAMARANDI/[illegible]	NJOKI NJERU	5.0 HA
88	EMBU/KAMARANDI/[illegible]	[illegible] NGOCHI NJERU	6.8 HA

89	EMBU/KAMARANDI/639	KIONANO NJERU(MINOR)	5.6HA
90	EMBU/KAKAMARANDI/641	NYAGA NJERU	10.6HA
91	EMBU/KAMARANDI/642	NDWIGA NGARI	8.6 HA
92	EMBU/KAMARANDI/643	NJAGI NGONGI	5.4 HA
93	EMBU/KAMARANDI/644	NJAGI NDEGERIE	10.4 HA
94	EMBU/KAMARANDI/645	NJIRU NJEGE (Minor)	4.6 HA
95	EMBU KAMARANDI/646	STANELY MURRITHI PAUL	7.8 HA
96	EMBU/KAMARANDI/647	EARNEST MUNYI MACHARIA	7.4 HA
97	EMBU/KAMARANDI/648	JOSEPH NTHIGA M'VUNGU	4.6 HA
98	EMBU/KAMARANDI/649	MWANIKI NJUE	3.0 HA
99	EMBU/KAMARANDI/650	MATI NJUE	7.2HA
100	EMBU/KAMARANDI/651	NJOKA NGARI	4.8 HA
101	EMBU/KAMARANDI/652	COUNTY COUNCIL OF EMBU	1.0 HA
102	EMBU/KAMARANDI/653	NYANAKE GAKABU (Minor)	1.0 HA
103	EMBU/KAMARANDI/654	ABDULLAMAN KARANJA NGANGA	28.0 HA
104	EMBU/KAMARANDI/655	NICHOLUS NGOCHI NJERU	8.2 HA
105	EMBU/KAMARANDI/656	JOSEPH NGACHA KARANI	23.0 HA
106	EMBU/KAMARANDI/657	PIUS NJIRU KARIUKI	8.0 HA
107	EMBU/KAMARANDI/658	DAVID NJERU THABARI	45.5 HA
108	EMBU/KAMARANDI/659	VENUS DISTRIBUTORS LTD	70.5 HA
109	EMBU/KAMARANDI/660	JOSPETER NJUKI NJERU	10.54HA
110	EMBU/KAMARANDI/661	DIOCESES OF EMBU TRUSTEES REGISTERS	40.0 HA
111	EMBU/KAMARANDI/662	GEORGE THIONGO MATHU	28.5 HA
112	EMBU/KAMARANDI/663	DANCAN NAMU THABARI	17.5 HA
113	EMBU/KAMARANDI/664	NJIRU MWERERA	13.8 HA
114	EMBU/KAMARANDI/665	JOSPHAT NDWIGA NJERU	12.6 HA
115	EMBU/KAMARANDI/667	GICHONI MBURACHI	0.7HA
116	EMBU/KAMARANDI/669	MBANDI MWERERA	0.9 HA
117	EMBU/KAMARANDI/670	ISAIAH TITO NYAGA	67.0HA
118	EMBU/KAMARANDI/670	ISAIAH TITO NYAGA	67.0 HA
119	EMBU/KAMARANDI/671	JOSEPH NGACHA KARANI	25.5HA
120	EMBU/KAMARANDI/672	COUNTY COUNCIL OF EMBU	3.8 HA
121	EMBU/KAMARANDI/673	NJIRU NYAGA (Minor)	3.0 HA
122	EMBU/KAMARANDI/674	1)NYAGA KIBORIO 2)NJERU MUGEKI 3)NYAGA RIGARIO	22.5 HA
123	EMBU/KAMARANDI/675	MUKIKI FARMERS COMPANY LTD	44.0 HA
124	EMBU/KAMARANDI/676	GACHAGO MWANGI	30.0 HA
125	EMBU/KAMARANDI/677	IRERI NYAGA	41.5 HA

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126	EMBU/KAMARANDI/678	MICHAEL NJAGI C/O KATHIANYU	92.0 HA
127	EMBU/KAMARANDI/679	STANLEY MURIITHI PAUL	27.0 HA
128	EMBU/KAMARANDI/680	KITHUKA NTHIGA	0.8 HA
129	EMBU/KAMARANDI/681	KITHAKA MUGO,NJUE MUGO	73.0 HA
130	EMBU/KAMARANDI/682	STANLEY MURIITHI PAUL	54.5 HA
131	EMBU/KAMARANDI/682	STANLEY MURIITHI PAUL	54.5HA
132	EMBU/KAMARANDI/683	DAVID WAIGANJO KIGWE	62.5 HA
133	EMBU/KAMARANDI/683	DAVID WAINGAJO KIGWE	62.5HA
134	EMBU/KAMARANDI/685	EPHENTUS MUGO MBURIA	21.0 HA
135	EMBU/KAMARANDI/686	NYAGA M'NDUGO	22.0 HA
136	EMBU/KAMARANDI/687	IRERI NJUE	13.8HA
137	EMBU/KAMARANDI/688	COUNTY COUNCIL OF EMBU	5.6 HA
138	EMBU/KAMARANDI/689	NJERU M'NGUGI	10.0 HA
139	EMBU/KAMARANDI/690	MAGUU MUTIE	10.4HA

× 2194.44 ha

140	EMBU/KAMARANDI/691	NJERU NJIRU(MINOR)	23.0 HA
141	EMBU/KAMARANDI/692	JOSEPH NGACHA KARANI	29.0 HA
142	EMBU/KAMARANDI/693	IRERI NJERU (Minor)	26.0 HA
143	EMBU/KAMARANDI/694	NJERU MUNDUWA MUKUNDI	6.2 HA
144	EMBU/KAMARANDI/695	MAGU MUNA	4.0 HA
145	EMBU/KAMARANDI/696	NJERU MAKONGE	5.0 HA
146	EMBU/KAMARANDI/697	NTHIGA NJUE	5.6 HA
147	EMBU/KAMARANDI/698	RUNJI KANDIA	3.0 HA
148	EMBU/KAMARANDI/699	NYAGA MUBARI	3.0 HA
149	EMBU/KAMARANDI/700	KIBUGI MUBARI	2.4 HA
150	EMBU/KAMARANDI/701	NJUE UNAGANIE	1.5 HA
151	EMBU/KAMARANDI/702	GAKUBI NJURI	1.9 HA
152	EMBU/KAMARANDI/703	NJERU MBOGO	2.4 HA
153	EMBU/KAMARANDI/704	FILEX MUGENDI KAMWEA	3.6 HA
154	EMBU/KAMARANDI/705	NTHIGA MUNA	3.8 HA
155	EMBU/KAMARANDI/706	NDWIGA MUTHANGE	3.8 HA
156	EMBU/KAMARANDI/707	RUTHIGA NJUE	5.8 HA
157	EMBU/KAMARANDI/708	NGARI METHIRANO	2.4 HA
158	EMBU/KAMARANDI/709	NJERU NJUE	5.8 HA
159	EMBU/KAMARANDI/710	NGUNGI MWANGA	9.6 HA
160	EMBU/KAMARANDI/711	NJUE MUGONO	4.4 HA
161	EMBU/KAMARANDI/712	NJERU KITHANGA	8.6 HA
162	EMBU/KAMARANDI/713	NJIRU NJAGI	11.0 HA
163	EMBU/KAMARANDI/714	MURANGI GAKINYA	9.2 HA
164	EMBU/KAMARANDI/715	IRERI NJUE	11.2 HA
165	EMBU/KAMARANDI/716	NDUATI NJUERI	8.2 HA
166	EMBU/KAMARANDI/717	KIBURI KAGUMA	6.8 HA
167	EMBU/KAMARANDI/718	KANYUA WAWERU (Minor)	6.4 HA
168	EMBU/KAMARANDI/719	ALFRED NJERU BENARD MBONGO	10.8 HA

169	EMBU/KAMARANDI/720	ALBINUS NDUMA NDERI	5.8 HA
170	EMBU/KAMARANDI/721	MBOGO NJERU(Minor)	6.4 HA
171	EMBU/KAMARANDI/722	NJIRU NGOMBERI	7.8 HA
172	EMBU/KAMARANDI/723	CHARLES NJERU NJUIRI	7.4 HA
173	EMBU/KAMARANDI/724	EVANS NJERU MURUARERI	6.0HA
174	EMBU/KAMARANDI/726	MWANGI MURUARERI	6.4 HA
175	EMBU/KAMARANDI/727	NTHIGA NGENDU	3.0 HA
176	EMBU/KAMARANDI/728	BORNFACE GEORGE NGUNDI GAITAH	5.2 HA
177	EMBU/KAMARANDI/729	IRERI NJAGI	4.2 HA
178	EMBU/KAMARANDI/730	LAWRENCE NJERU N. NGINYIRWA	7.6 HA
179	EMBU/KAMARANDI/731	NJIRU MUNDUANGOTHO	9.8 HA
180	EMBU/KAMARANDI/732	NJAGI KITHIMO	8.8 HA
181	MBU/KAMARANDI/733	ALEXENDER NYAGA SILUS(MINOR)	10.0HA
182	EMBU/KAMARANDI/734	ADOLF KAVUNGURA RURI	3.2 HA
183	EMBU/KAMARANDI/735	COUNTY COUNCIL OF EMBU	7.4 HA
184	EMBU/KAMARANDI/736	SILUS NJIRU MUCHELE	15.0 HA
185.	EMBU/KAMARANDI/737	LUCY WANGARI GITHAIGA	7.0 HA
186	EMBU/KAMARANDI/738	NJIRU MATHIGA	7.0 HA

187	EMBU/KAMARANDI/739	DAVID NJIRU MUTUNGA	7.2 HA
188	EMBU/KAMARANDI/740	NYAGA NDAMUKI	6.2 HA
189	EMBU/KAMARANDI/741	MUTURI MUGAI	9.0 HA
190	EMBU/KAMARANDI/742	DAVID NJIRU MBOGO	7.6 HA
191	EMBU/KAMARANDI/743	FESTO GINJI MBOGO	8.0 HA
192	EMBU/KAMARANDI/744	MBITI MACHAMBA	6.6 HA
193	EMBU/KAMARANDI/745	KARERA MUCHERE	6.6 HA
194	EMBU/KAMARANDI/746	GICHANJO MWANGIRE	17.5HA
195	EMBU/KAMARANDI/747	GITONGA MUKANDI	6.0HA
196	EMBU/KAMARANDI/748	GITONGA MUKANDI	9.2HA
197	EMBU/KAMARANDI/749	NDWIGA KITHINJI	6.0HA
198	EMBU/KAMARANDI/775	MWANGANGI NDWIGA(minor)	7.0 HA
199	EMBU/KAMARANDI/776	JOSEPH KIHARA KARIUKI	19.5 HA
200	EMBU/KAMARANDI/777	JOHN NDUNGU KARIUKI	24.0 HA
201	EMBU/KAMARANDI/779		
202	EMBU/KAMARANDI/829	NJERU MUKANDI NDAVA	37.0HA
203	EMMBU/KAMRANDI/830	MWANIKI NJIRU	1.5HA
204	EMBU/KAMARNDI/831	DONIUIS NGOCI	1.9HA
205	EMBU/KAMARANDI/832	FRANCIS NJERU MARUMBU	2.4HA
206	EMBU/KAMARANDI/833	NTHIGA WANGOMBE	1.5HA
207	EMBU/KAMARANDI/834	ALEXANDER MWANIKI NJERU	2.8HA
208	EMBU/KAMARANDI/855	NTHIGA NJUE	4.6HA
209	EMBU/KAMARANDI/856	(1).NJERU MUKANDI (2).GICHANJO MWANGIRE	8.6HA

		(3).MUTURI MUGAII	
210	EMBU/KAMARANDI/859	NG'OMBERI KAGUMA	6.2HA
211	EMBU/KAMARANDI/866	KARUGU KARUGERIA	8.2 HA
212	EMBU/KAMARANDI/867	KATHURE KARABI MWENDWA	9.2 HA
213	EMBU/KAMARANDI/868	MUTUA GATIMO	9.2 HA
214	EMBU/KAMARANDI/869	CHIENGE MWANGANGI	7.2 HA
215	EMBU/KAMARANDI/870	KITHURE MUGAO	7.6 HA
216	EMBU/KAMARANDI/871	NTHIOMI NGAMIA	1.5HA
217	EMBU/KAMARANDI/872	NJERU NJAGI MAGICHI	2.2HA
218	EMBU/KAMARANDI/878	EMBU COUNTY COUNCIL	2.8HA
219	EMBU/KAMARANDI/886	LAMECHI NJEGE MAGICHI	7.2 HA
220	EMBU/KAMARANDI/887	NGARI MUTHEE	3.8 HA
221	EMBU/KAMARANDI/888	DANIEL NJAGI MAGICHI	5.0HA
222	EMBU/KAMARANDI/889	KIURA NGARU	3.4 HA
223	EMBU/KAMARANDI/890	NYAGA NTHIGA	1.9 HA
224	EMBU/KAMARANDI/891	DAVID KAUMBUTHU MWANGANGI	1.9 HA
225	EMBU/KAMARANDI/893	BENSON IGUNA MUNA	10.8HA
226	EMBU/KAMARANDI/894	NYAGA MUTHAGE	7.6HA
227	EMBU/KAMARANDI/895	NGUNGI MUBARI	9.2HA
228	EMBU/KAMARANDI/896	MUCIRI NTHAGAINE	10.0HA
229	EMBU/KAMARANDI/897	MUNYI MACHARIA	16.0HA
230	EMBU/KAMARANDI/898	BENSON IGUNA MUNA	10.8 HA
231	EMBU/KAMARANDI/899	NJUE MUBARI	12.4 HA
232	EMBU/KAMARANDI/908	GITITI METHIRANO	3.6 HA
233	EMBU/KAMARANDI/913	WAWERU MWINYI M'NGUNGI	7.8 HA
234	EMBU/KAMARANDI/914	NGOMBERI KAGUMA	33.5 HA
235	EMBU/KAMARANDI/915	SAMUEL MBURU NJUGUNA	7.6 HA
236	EMBU/KAMARANDI/916	NJUE NJIRU	30.6 HA
237	EMBU/KAMARANDI/917	NJERU GACIRIRIA	12.6 HA
238	EMBU/KAMARANDI/918	MACHAKI KAVUNGURA	15.2 HA
239	EMBU/KAMARANDI/919	REUBEN NJERU NJIRU	32.5 HA
240	EMBU/KAMARANDI/920	BENARD MBOGO NJIRU	15.5 HA
241	EMBU/KAMARANDI/921		
242	EMBU/KAMARANDI/922	MZEE MUNYAMBU	12.2 HA
243	EMBU/KAMARANDI/923	NDWIGA NYAGA	6.0 HA
244	EMBU/KAMARANDI/924	NZOKA MURAGO SHIMBA	14.0HA
245	EMBU/KAMARANDI/929	NJERU MBOGO	8.0 HA
246	EMBU/KAMARANDI/930	NJIRU KIBARI	4.4 HA
247	EMBU/KAMARANDI/931	NGUTEERE NJERU	6.0HA
248	EMBU/KAMARANDI/932	NYAGA NJIRU	1.1HA
249	EMBU/KAMARANDI/936	SEVERIO RURI NJUIRI	11.2 HA
250	EMBU/KAMARANDI/939	DAVID MWARIRI S/O MURORU NJUGUNA	4.6 HA
251	EMBU/KAMARANDI/946	PAUL KIBE KIMANI	12.0 HA
252	EMBU/KAMARANDI/953	NJIRU NJAGI MAGICHI	2.6 HA

210	EMBU\KAMARANDI\859	NG'OMBERI KAGUMA	6.2HA
211	EMBU\KAMARANDI\866	KARUGU KARUGERIA	8.2 HA
212	EMBU\KAMARANDI\867	KATHURE KARABI MWENDWA	9.2 HA
213	EMBU\KAMARANDI\868	MUTUA GATIMO	9.2 HA
214	EMBU\KAMARANDI\869	CHIENGE MWANGANGI	7.2 HA
215	EMBU\KAMARANDI\870	KITHURE MUGAO	7.6HA
216	EMBU\KAMARANDI\871	NTHIOMI NGAMIA	1.5HA
217	EMBU\KAMARANDI\872	NJERU NJAGI MAGICHI	2.2HA
218	EMBU\KAMARANDI\878	EMBU COUNTY COUNCIL	2.8HA
219	EMBU\KAMARANDI\886	LAMECHI NJEGE MAGICHI	7.2 HA
220	EMBU\KAMARANDI\887	NGARI MUTHEE	3.8 HA
221	EMBU\KAMARANDI\888	DANIEL NJAGI MAGICHI	5.0HA
222	EMBU\KAMARANDI\889	KIURA NGARU	3.4 HA
223	EMBU\KAMARANDI\890	NYAGA NTHIGA	1.9 HA
224	EMBU\KAMARANDI\891	DAVID KAUMBUTHU MWANGANGI	1.9 HA
225	EMBU\KAMARANDI\893	JEFFSON IGUNA MUNA	10.8HA
226	EMBU\KAMARANDI\894	NYAGA MUTHAGA	7.6HA
227	EMBU\KAMARANDI\895	NGUNJI MURAGURI	5.2HA
228	EMBU\KAMARANDI\896	JUDY KAGWIRIA	2.5 HA
229	EMBU\KAMARANDI\897	JOHN KAGO	2.5 HA
230	EMBU\KAMARANDI\898	SAMUEL KAGO	2.5 HA
231	EMBU\KAMARANDI\899	PETER KARIUKI	2.5 HA
232	EMBU\KAMARANDI\900	GLADYS WANJIRU	2.5 HA
233	EMBU\KAMARANDI\901	WAWERU MWITI	2.5 HA
234	EMBU\KAMARANDI\914	NGOMBERI KAGUMA	7.6 HA
235	EMBU\KAMARANDI\915	SAMUEL MBURU NJUGUNA	50.6 HA
236	EMBU\KAMARANDI\916	NJUE NJIRU	12.6 HA
237	EMBU\KAMARANDI\917	NJERU GACUNIRIA	15.2 HA
238	EMBU\KAMARANDI\918	MACHAKI KAVUNGURA	72.5 HA
239	EMBU\KAMARANDI\919	ROSPEN NJERU NJIRU	15.5 HA
240	EMBU\KAMARANDI\920	RICHARD MBOGO NJIRU	
241	EMBU\KAMARANDI\921		12.2 HA
242	EMBU\KAMARANDI\922	MOSES MUNYAMBU	6.0 HA
243	EMBU\KAMARANDI\923	NDUNGA NYAGA	14.0HA
244	EMBU\KAMARANDI\924	NZORA MURAGO SHUMBA	8.0 HA
245	EMBU\KAMARANDI\925	NJERU MBOGO	4.4 HA
246	EMBU\KAMARANDI\930	PAUL KIBARI	6.0HA
247	EMBU\KAMARANDI\931	NGUTUKE NJERI	1.1HA
248	EMBU\KAMARANDI\942	NYAGA NJERU	12.2 HA
249	EMBU\KAMARANDI\936	SEVERIC RURI NJERU	4.8 HA
250	EMBU\KAMARANDI\939	DAVID MWAURA NG'ANG'U MUGENDI NJUGUNA	12.0 HA
251	EMBU\KAMARANDI\948	PAUL RIBE KIMANI	2.5 HA
252	EMBU\KAMARANDI\953	HENRY NTOI MACHOKI	

9

253	EMBU/KAMARANDI/954	LAMECHI NJEGE	1.1 HA
254	EMBU/KAMARANDI/959	JOSEPH MUTHUI MURAGE	3.8 HA
255	EMBU/KAMARANDI/962	STANELY MURITHI PAUL	10.0 HA
256	EMBU/KAMARANDI/963	NAOMI NGAMIA	39.5 HA
257	EMBU/KAMARANDI/964	PETER NJUGUNA MURAGE	13.8 HA
258	EMBU/KAMARANDI/965	DAVID MWARIRI S/O MUHORO NJUGUNA	12.0 HA
259	EMBU/KAMARANDI/966	EMBU COUNTY COUNCIL	1.5 HA
260	EMBU/KAMARANDI/969	CHRISTOPHER MWANGI MACHARIA	24.0 HA
261	EMBU/KAMARANDI/970	KAGURI WAMAIRWE	24.0 HA
262	EMBU/KAMARANDI/971	FRANCIS ROBERT MWANGI GITURU	18.0 HA
263	EMBU/KAMARANDI/979	JOHN .E. NYAGA	0.7 HA
264	EMBU/KAMARANDI/980	RICHARD NYAGA THIRIKU	0.6 HA
265	EMBU/KAMARANDI/981	TITUS MUCHOKI MUCHINA	1.9 HA
266	EMBU/KAMARANDI/982	EUTYCHUS MURIITHI NDERI	45.0 HA
267	EMBU/KAMARANDI/983	PETER ISAAC KIGETU MUNYINYI	11.4 HA
268	EMBU/KAMARANDI/984	PETER MAKUNO KINORU	14.9 HA
269	EMBU/KAMARANDI/985	JAMES KIBE KIHARA	20.0 HA
270	EMBU/KAMARANDI/989	GEORGE MBUGUA DANIEL KAGO	11.6 HA
271	EMBU/KAMARANDI/990	GEORGE MBUGUA DAVID KAGO	11.6 HA
272	EMBU/KAMARANDI/991	CLEMENT KAMAU	10.6 HA
273	EMBU/KAMARANDI/997	JOHANNA IRERI SIMON	18.5HA
274	EMBU/KAMARANDI/998	JOSEPH GACHECHE KAMAU	20.25HA
275	EMBU/KAMARANDI/999	DIOCESES OF EMBU TRUSTEES REGISTERS	20.25HA
276	EMBU/KAMARANDI/1011	MORRIS G.NJAGE	20.23HA
277	EMBU/KAMARANDI/1012	MORRIS GUCHURA NJAGE	20.23HA
278	EMBU/KAMARANDI/1013	MUKIKI FARMERS COMPANY L.T.D	20.23HA
279	EMBU/KAMARANDI/1014		
280	EMBU/KAMARANDI/1019	ELPHAS JACOB MBUREA	4.0 HA
281	EMBU/KAMARANDI/1020	ELPHAS JACOB MBUREA	3.92 HA
282	EMBU/KAMARANDI/1021	ELPHAS JACOB MBUREA	2.07 HA
283	EMBU/KAMARANDI/1022	ELPHAS JACOB MBUREA	2.03 HA
284	EMBU/KAMARANDI/1023	ELPHAS JACOB MBUREA	0.93 HA
285	EMBU/KAMARANDI/1024	ELPHAS JACOB MBUREA	1.01 HA
286	EMBU/KAMARANDI/1025	ELPHAS JACOB MBUREA	0.97 HA
287	EMBU/KAMARANDI/1026	ELPHAS JACOB MBUREA	0.98 HA
288	EMBU/KAMARANDI/1027	ELPHAS JACOB MBUREA	11.0 HA
289	EMBU/KAMARANDI/1046	NIKASIO NYAGA NGENDU	20.47 HA
290	EMBU/KAMARANDI/1047	JOHANA IRERI SIMON	81.0 HA
291	EMBU/KAMARANDI/1048	JOHANA IRERI SIMON	14.20 HA
292	EMBU/KAMARANDI/1049	MUKIKI FARMERS COMPANY LTD	20.0 HA
293	EMBU/KAMARANDI/1050	JOHANA IRERI SIMON	3.70 HA

Regards; Total 3663.12 Ha

Mr. Peter Kangwana

FRANCIS KAMUNYU
MUTHANTHARA SUB-LOCATION,
P.O.BOX 153,ISHIARA-EMBU.
30th May,2025.

SENATE LAND STANDING COMMITEE
NAIROBI-KENYA.
Dear Sir.

RE: THARAKA COMMUNITY LIVING IN MUTHANTHARA SUB-LOCATION ,M BEERE NORTH ,EMBU SUB-COUNTY HISTORICAL LAND INJUSTICE

In conclusion, Tharaka community like any other community in the counties and the Kenya at large has all rights to leave a peaceful life, own land/ properties,recognized and enjoy the freedom that is experienced by other communities.

Despite their low educational standards which resulted to lack of a wareness, the community needs to be helped to reach the required l evels of human life and included in the books of records as a minority community in Embu-County Mbeere North Sub-County. Even other groups of people among the marginalized communities need to be made aware of current changes experienced among all other things. Land ownership access to those hence experiencing historical land injustice in the County Government seat and Kenya at large. We also kindly request our Senate Land standing committee your intervention to save us from further sufferings. We had hoped that with the new constitution dispensations of marginalization would come to an end.

All in all the Tharaka community have every hope and trust that the Senate Land Standing committee, through which memorandum i

s addressed is right advocate for minority and marginalized comm unity who have no shoulder to lean on but to the committee to a ddress the above grievances
strongly with the relevant authorities and to an extend to help the minor community your honors to end this historical land injustice Tharaka community is suffering from.
Poor administrative boundaries i.e.we lack our own leaders because of barriers put across brought by land title deeds where grabbers control s the administration
Our honors and savers (Land senate committee and government orga ns i.e. Our county commissioner) help us today to get out of this slav ery situation.

Let all the title deeds with strangers/foreigners be revoked completely as from today and be allocated to us, thus Muthanthara residents may enjoy freedom.

REGARDING PLIGHT OF THE LANDLESS IN MUTHANTH ARA SUB-LOCATION EMBU COUNTY

This historical land injustice has hindered many issues in our Sub-loc ation.Lack of land ownership i.e. has brought about tribal wars and ba rriers in our sub-location with other jurisdiction caused they (Land Gr abbers) who always want to control all administration in the area.
Muthanthara residents request your honor to ensure that you help us t o have the following
1. Our title deeds are given back to us (land ownership)
2. Muthanthara sub-Location be made a location and Be served with two sub-location and two Assistance chief from Tharaka community

and the serving under one chief of Muthanthara location i.e.

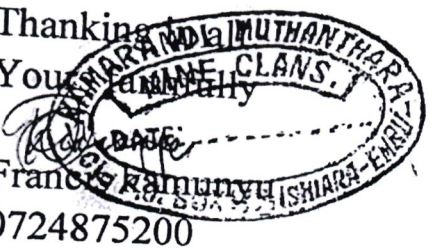
a) Nthigirani sub-location
b) Kiamathuku sub-location

i. With this our administration activities will be ease and this land problem will come to the end.

ii. False accusation shall come to an end.

iii. Torturing and sufferings of our people.i.e.people who are jailed.

Thanking in all
Yours faithfully



Francis Kamunyu
0724875200
Residentt Muthanthara

JELVASIO MUTEGI,
MUTHANTHARA RESIDENTS,
P. O.BOX 153, ISHIARA,
MBEERE NORTH SUB-COUNTY,
EMBU COUNTY- KENYA.
30TH, May,2025.

LAND SENATE COMMITTEE
NAIROBI.
REPUBLI C OF KENYA.

ATT. LAND SENATE COMMITTEE

REF:PUBLIC HEARING MEETING WITH THE PLATFORM MEMBERS OF THARAKA COMMUNITY LIVING IN MUTHANTHARA SUB-LOCATION, MBEERE NORTH SUB-COUNTY EMBU COUNTY

AGENDA: PLIGHT OF THE LANDLESS IN MUTHANTHARA SUB-LOCATION
(our Land Title illegally, illegibly, irregularly located to foreigners)

I the undersigned, having been authorised by the **THARAKA COMMUNITY** residing at MUTHANTHARA sub location, Mbeere North district Embu sub county, hereby to congratulate our **LAND SENATE COMMITEE and all Relevant GOVERMENT AGENCIES** for having today a public hearing with Tharaka community here at Muthanthara Ass. Chief office/ Centre for intervention concerning the above subject as follows:

1).In the year 1972, during the tenure of then chief, Maguu Mutie and then land adjudication officer Siakago our title deeds were allotted to strangers/foregners unceremoniously by the land adjudication of Siakago officiated by then chief on the understanding that we were to be considered as then right owners as had however not taken place.

2).Upon our various initiatives through the Government agencies, the Land adjudication Siakago never committed to allocate people from tharaka community as shown in the attached copies.However, we wish to point out that this has NEVER happened to date.

3).Further to a public hearing with cabinet secretary of land ministry. Hon. James Orengo on 14th of June, 2012 on the same, the Ass.Cabinet Secretary confirmed the illegality,



illegibility, irregularities committed by land officers during the demarcation process of Embu/kamarandi land adjudication section1972.

Where we found that our **THARAKA COMMUNITY LAND COMMITTEE** that was formed by then were as follows:-

1.NJERU KITHINJI

2.KIMUNDU NJERU MAKUNYI

3.WITHAUKA MAGANE

4.NTOMBORO CHOVIA

5.KIBUI MANGAKU

6.NTHIGA M'NGOCI

7.MBIIRI NTOMBORE

8.NJENGU THIORA

9.KIRIAMBOGO NJECU

10.NGOCI M'KIMAKE

Amongst of the above our Land Committee none of them was allocated to any parcel of land neither their offsprings/relatives despite they officiated the demarcation of their ancestral land. All these was done by Siakago land adjudication offices led by then adjudication officer and by then.Chief Maguu Mutie.

4).I also wish to CATEGORICALLY confirm the allocation of title deeds was finalized but Strangers/foreigners who were instead considered for allotment against the Tharaka Community ancestral land as stated here above.

5.I redirect this historical land injustice issue to the government and land ministry to revoke these title deeds which were given to strangers/foreigners and re-allocate them to the Owners Tharaka community living in the Area occupied.

6. I also urge the office of the presidency, in the presence of all Government organs not to be used by land grabbers to intimidate Tharaka residents for their greedy gain i.e. Arresting Muthanthara residents and accusing them in court with false statements when they fight for their rights without being listened .

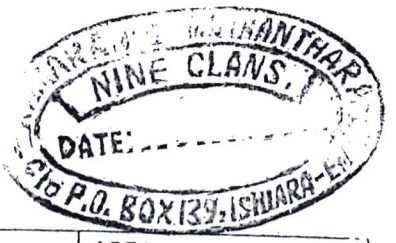
Thanking you all.

Yours faithfully

Jelvasio Mutegi.
Cell:0724809952
Email address:-jelvasiomutegi@gmail.com.
Tharaka resident,Muthanthara sub-location

MF 3 — MF 9

NINE CLANS.
DATE:
P.O. BOX 139, ISHIARA-EM



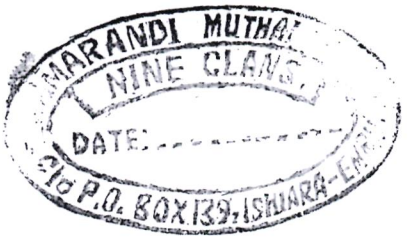
NO	REFERENCE NUMBER	NAME OF REGISTERED PROPRIETOR	AREA
1	EMBU/ KAMARANDI/499	NJERU NJOBANO	26.5HA
2	EMBU/KAMARANDI/518	COUNTY COUNCIL OF EMBU	3.2HA
3	EMBU/KAMARANDI/519	NJERU NJIRU	8.4 HA
4	EMBU/KAMARANDI/520	COUNTY COUNCIL OF EMBU	0.6 HA
5	EMBU/KAMARANDI/527	NJIRU KIURA	9.8 HA
6	EMBU/KAMARANDI/533	DAVID KAUMBUTHU MWANGANGI	4.4 HA
7	EMBU/KAMARANDI/534	NJOMO NJERU	3.4 HA
8	EMBU/KAMARANDI/535	NJERU NJUE	3.2 HA
9	EMBU/KAMARANDI/536	MIKORO MBANGWA	4.8 HA
10	EMBU/KAMARANDI/537	NJONDE NDUIGA	6.0 HA
11	EMBU/KAMARANDI/538	MICHENI E. M'RIRIA	4.0HA
12	EMBU/KAMARANDI/539	NYAGA KIRIMA	2.2 HA
13	EMBU/KAMARANDI/540	BENSON GICHONI KAGAU	4.4 HA
14	EMBU/KAMARANDI/541	PATRICK NGUNGI	5.0 HA
15	EMBU/KAMARANDI/542	MICENI NJUE	5.0 HA
16	EMBU/KAMARANDI/543	NGAI NYAGA	8.0 HA
17	EMBU/KAMARANDI/544	NJUE NJIRU	5.0HA
18	EMBU/KAMARANDI/545	GITHENDU NJIRU	4.0 HA
19	EMBU/KAMARANDI/546	MUTEMI GITWARI	3.8 HA
20	EMBU/KAMARANDI/547	NJUE GICHEKO	1.4 HA
21	EMBU/KAMARANDI/548	MAGU KIBARU	3.4 HA
22	EMBU/KAMARANDI/549	MURANGI GAKINYA	2.4 HA
23	EMBU/KAMARANDI/550	JOSPITER KIURA NJIRU	2.2 HA
24	EMBU/KAMARANDI/551	NJUE NDWIGA	2.4 HA
25	EMBU/KAMARANDI/556	CHARAGU GACIGIWA	36.0 HA
26	EMBU/KAMARANDI/557	FRANCIS ROBERT MWANGI GITURU	10.8 HA
27	EMBU/KAMARANDI/558	NJERU GACHIEGU	23.0 HA
28	EMBU/KAMARANDI/559	NJAGI THAGICA	25.0 HA
29	EMBU/KAMARANDI/560	NYAGA S/O KACHIGU	24.0 HA
30	EMBU/KAMARANDI/561	NJERU MATUMO	36.0HA
31	EMBU/KAMARANDI/562	GEOFREY MWAURA NDAI	12.2HA
32	EMBU/KAMARANDI/578	KIARIE IRERI	1.8 HA
33	EMBU/KAMARANDI/579	JOSEPH IRERI MURUGI	1.7 HA
34	EMBU/KAMARANDI/580	NGAI UTUKU	2.8HA
35	EMBU/KAMARANDI/581		
36	EMBU/KAMARANDI/582	ROSEMARY NJERI WACHIRA	7.0HA
37	EMBU/KAMARANDI/585	JOSEPH NJOROGE NDUNG'U	32.2 HA
38	EMBU/KAMARANDI/586	MOFFART NYAGA KAGAU	25.0 HA
39	EMBU/KAMARANDI/587	THOMAS GATURI GICHIGU	21.0 HA
41	EMBU/KAMARANDI/588	NGONDU KANDAVA	35.5 HA
42	EMBU/KAMARANDI/589	MBAKA MURUAMBURA	23.5 HA
43	EMBU/KAMARANDI/590	AHMEN MOHAMMED OSMAN SHEIKH MOH	6.2 HA
44	EMBU/KAMARANDI/591	NYAGA KANYOTI	9.8 HA

NO	REFERENCE NUMBER	NAME OF REGISTERED PROPRIETOR	AREA
1	EMBU/ KAMARANDI/499	NJERU NJOBANO	26.5HA
2	EMBU/KAMARANDI/518	COUNTY COUNCIL OF EMBU	3.2HA
3	EMBU/KAMARANDI/519	NJERU NJIRU	8.4 HA
4	EMBU/KAMARANDI/520	COUNTY COUNCIL OF EMBU	0.6 HA
5	EMBU/KAMARANDI/527	NJIRU KIURA	9.8 HA
6	EMBU/KAMARANDI/533	DAVID KAUMBUTHU MWANGANGI	4.4 HA
7	EMBU/KAMARANDI/534	NJOMO NJERU	3.4 HA
8	EMBU/KAMARANDI/535	NJERU NJUE	3.2 HA
9	EMBU/KAMARANDI/536	MIKORO MBANGWA	4.8 HA
10	EMBU/KAMARANDI/537	NJONDE NDUIGA	6.0 HA
11	EMBU/KAMARANDI/538	MICHENI E. M'RIRIA	4.0HA
12	EMBU/KAMARANDI/539	NYAGA KIRIMA	2.2 HA
13	EMBU/KAMARANDI/540	BENSON GICHONI KAGAU	4.4 HA
14	EMBU/KAMARANDI/541	PATRICK NGUNGI	5.0 HA
15	EMBU/KAMARANDI/542	MICENI NJUE	5.0 HA
16	EMBU/KAMARANDI/543	NGAI NYAGA	8.0 HA
17	EMBU/KAMARANDI/544	NJUE NJIRU	5.0HA
18	EMBU/KAMARANDI/545	GITHENDU NJIRU	4.0 HA
19	EMBU/KAMARANDI/546	MUTEMI GITWARI	3.0 HA
20	EMBU/KAMARANDI/547	NJUE GICHEKO	[illegible]
21	EMBU/KAMARANDI/548	MAOU KIRAKO	[illegible]
22	EMBU/KAMARANDI/549	MURANGA KAGUYA	[illegible]
23	EMBU/KAMARANDI/550	[illegible]	[illegible]
24	EMBU/KAMARANDI/551	NJUE NGWA	[illegible]
25	EMBU/KAMARANDI/552	HARAGU GAGUAVA	[illegible]
26	EMBU/KAMARANDI/557	FRANCIS ROBERT MWANGI GITURU	[illegible]
27	EMBU/KAMARANDI/558	NJERU GACHIEGU	23.0 HA
28	EMBU/KAMARANDI/559	NIAGI THAGICA	25.0 HA
29	EMBU/KAMARANDI/560	NYAGA S/O KACHIGU	24.0 HA
30	EMBU/KAMARANDI/561	NJERU MATUMO	36.0HA
31	EMBU/KAMARANDI/562	GEOFFREY MWAURA NDAI	12.2HA
32	EMBU/KAMARANDI/578	KIARIE IRERI	1.8 HA
33	EMBU/KAMARANDI/579	JOSEPH IRERI MURUGI	[illegible]
34	EMBU/KAMARANDI/580	NGAI UTUKU	2.8 HA
35	EMBU/KAMARANDI/581		
36	EMBU/KAMARANDI/582	ROSEMARY NJERI WACHIRA	7.0HA
37	EMBU/KAMARANDI/585	JOSEPH NJOROGE NDUNG'U	32.2 HA
38	EMBU/KAMARANDI/586	MOFFART NYAGA KAGAU	[illegible]
39	EMBU/KAMARANDI/587	THOMAS GATURI GICHIGU	[illegible]
41	EMBU/KAMARANDI/588	NGONDU KANDAVA	35.5 HA
42	EMBU/KAMARANDI/589	MBAKA MURUAMB HA	[illegible]
43	EMBU/KAMARANDI/590	AHMEN MOHAMMED OSMAN SHEIKH MOH	6.2 HA
44	EMBU/KAMARANDI/591	NYAGA KAHYOTI	[illegible]

4

KAMARANDI MUTHANTHARA NINE CLANS. DATE: P.O. BOX 139, ISHIARA-EMBU

45	EMBU/KAMARANDI/592	BENARD MURIITHI MAHU	9.6 HA
46	EMBU/KAMARANDI/593	NYAMU MUTHARA	23.0 HA
47	EMBU/KAMARANDI/594	NYAMU MUTHARA	23.0 HA
48	EMBU/KAMARANDI/596	ELIJAH CIRA NGAHU	38.0 HA
49	EMBU/KAMARANDI/597	NJUE NJIRU	10.6 HA
50	EMBU/KAMARANDI/598	MOFFART NYAGA KAGAU	16.0 HA
51	EMBU KAMARANDI/599	KINYUA KABUTHI	13.4 HA
52	EMBU/KAMARANDI/600	HANNAH MUKAMI KIRUHI	16.0 HA
53	EMBU/KAMARANDI/601	NJERU MUREFU	23.0 HA
54	EMBU/KAMARANDI/602	(1).JEREMIA GACHIGU (2).JOSPHAT GICAGU	21.5HA
55	EMBU/KAMARANDI/603	KIANGA MWANIKI	10.4 HA
56	EMBU/KAMARANDI/604	NJOKA NYAGA	8.8 HA
57	EMBU/KAMARANDI/605	NJUE NJIRU	10.6 HA
58	EMBU/KAMARANDI/606	JONATHAN NJERU NDABAYA	12.6 HA
59	EMBU/KAMARANDI/607	NDUIGA NJAGI	15.0 HA
60	EMBU/KAMARANDI/608	EPHINTUS MAKANYA NJERU	15.0 HA
61	EMBU/KAMARANDI/609	NJOGU NYAGA	12.2 HA
62	EMBU/KAMARANDI/610	SALESIO NDWIGA JOSPHAT (Minor)	5.6 HA
63	EMBU/KAMARANDI/611	EPHANTUS GITHINGU,MURITHI DAVID	4.8 HA
64	EMBU/KAMARANDI/612	COUNTY COUNCIL OF EMBU	12.4 HA
65	EMBU/KAMARANDI/613	GITONGA NGONDU (Minor)	44.0 HA
66	EMBU/KAMARANDI/614	NYAGA THAGICA	13.6 HA
67	EMBU/KAMARANDI/615	JOSEPH NGACHA KARANI	7.0 HA
68	EMBU/KAMARANDI/616	NGOROI GICEGE	1.9 HA
69	EMBU/KAMARANDI/617	NJUKI KIREMA	5.6 HA
70	EMBU/KAMARANDI/618	STANELY MURIITHI PAUL	6.8 HA
71	EMBU/KAMARANDI/619	NGAI KIRETHIO	9.6 HA
72	EMBU/KAMARANDI/620	ABDULLAMAN KARANJA NGANGA	8.0 HA
73	EMBU/KAMARANDI/621	IRERI GICHUGU	8.8 HA
74	EMBU/KAMARANDI/623	SAMUEL NJERU NGATHO	9.0 HA
75	EMBU/KAMARANDI/624	MUCHIRI NGURUKUBI	9.2 HA
76	EMBU/KAMARANDI/625	RICHMOND MUNYIRI MUGAMBI MUGAMBI	3.6 HA
77	EMBU/KAMARANDI/626	NGOROI THAGICA	8.6 HA
78	EMBU/KAMARANDI/627	MUCHIGATE KABUTHI	8.2 HA
79	EMBU/KAMARANDI/628	FRANCIS MBURU NJERU	15.0 HA
80	EMBU/KAMARANDI/629	MUTINDI NJUNDU	3.6 HA
81	EMBU/KAMARANDI/630	KAGETA NGURUKUBI	2.8 HA
82	EMBU/KAMARANDI/631	VENUS DISTRIBUTORS LTD	29.0 HA
83	EMBU/KAMARANDI/633	UTUKU KITHINJI	9.6 HA
84	EMBU/KAMARANDI/634	GAKABU NJAGI	10.0 HA
85	EMBU/KAMARANDI/635	MWANIKI KAGETHA	6.8 HA
86	EMBU/KAMARANDI/636	NJUE NJERU	9.0HA
87	EMBU/KAMARANDI/637	NICHOLUS NGOCHI NJERU	6.8 HA
88	EMBU/KAMARANDI/638	UTUKU KITHINJI	5.8 HA



89	EMBU/KAMARANDI/639	KIONANO NJERU(MINOR)	5.6HA
90	EMBU/KAKAMARANDI/641	NYAGA NJERU	10.6HA
91	EMBU/KAMARANDI/642	NDWIGA NGARI	8.6 HA
92	EMBU/KAMARANDI/643	NJAGI NGONGI	5.4 HA
93	EMBU/KAMARANDI/644	NJAGI NDEGERIE	10.4 HA
94	EMBU/KAMARANDI/645	NJIRU NJEGE (Minor)	4.6 HA
95	EMBU KAMARANDI/646	STANELY MURRITHI PAUL	7.8 HA
96	EMBU/KAMARANDI/647	EARNEST MUNYI MACHARIA	7.4 HA
97	EMBU/KAMARANDI/648	JOSEPH NTHIGA M'VUNGU	4.6 HA
98	EMBU/KAMARANDI/649	MWANIKI NJUE	3.0 HA
99	EMBU/KAMARANDI/650	MATI NJUE	7.2HA
100	EMBU/KAMARANDI/651	NJOKA NGARI	4.8 HA
101	EMBU/KAMARANDI/652	COUNTY COUNCIL OF EMBU	1.0 HA
102	EMBU/KAMARANDI/653	NYANAKE GAKABU (Minor)	1.0 HA
103	EMBU/KAMARANDI/654	ABDULLAMAN KARANJA NGANGA	28.0 HA
104	EMBU/KAMARANDI/655	NICHOLUS NGOCHI NJERU	8.2 HA
105	EMBU/KAMARANDI/656	JOSEPH NGACHA KARANI	23.0 HA
106	EMBU/KAMARANDI/657	PIUS NJIRU KARIUKI	8.0 HA
107	EMBU/KAMARANDI/658	DAVID NJERU THABARI	45.5 HA
108	EMBU/KAMARANDI/659	VENUS DISTRIBUTORS LTD	70.5 HA
109	EMBU/KAMARANDI/660	JOSPETER NJUKI NJERU	10.54HA
110	EMBU/KAMARANDI/661	DIOCESES OF EMBU TRUSTEES REGISTERS	40.0 HA
111	EMBU/KAMARANDI/662	GEORGE THIONGO MATHU	28.5 HA
112	EMBU/KAMARANDI/663	DANCAN NAMU THABARI	17.5 HA
113	EMBU/KAMARANDI/664	NJIRU MWERERA	13.8 HA
114	EMBU/KAMARANDI/665	JOSPHAT NDWIGA NJERU	12.6 HA
115	EMBU/KAMARANDI/667	GICHONI MBURACHI	0.7HA
116	EMBU/KAMARANDI/669	MBANDI MWERERA	0.9 HA
117	EMBU/KAMARANDI/670	ISAIAH TITO NYAGA	67.0HA
118	EMBU/KAMARANDI/670	ISAIAH TITO NYAGA	67.0 HA
119	EMBU/KAMARANDI/671	JOSEPH NGACHA KARANI	25.5HA
120	EMBU/KAMARANDI/672	COUNTY COUNCIL OF EMBU	3.8 HA
121	EMBU/KAMARANDI/673	NJIRU NYAGA (Minor)	3.0 HA
122	EMBU/KAMARANDI/674	1)NYAGA KIBORIO 2)NJERU MUGEKI 3)NYAGA RIGARIO	22.5 HA
123	EMBU/KAMARANDI/675	MUKIKI FARMERS COMPANY LTD	44.0 HA
124	EMBU/KAMARANDI/676	GACHAGO MWANGI	30.0 HA
125	EMBU/KAMARANDI/677	IRERI NYAGA	41.5 HA

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126	EMBU/KAMARANDI/678	MICHAEL NJAGI C/O KATHIANYU	92.0 HA
127	EMBU/KAMARANDI/679	STANLEY MURIITHI PAUL	27.0 HA
128	EMBU/KAMARANDI/680	KITHUKA NTHIGA	0.8 HA
129	EMBU/KAMARANDI/681	KITHAKA MUGO,NJUE MUGO	73.0 HA
130	EMBU/KAMARANDI/682	STANLEY MURIITHI PAUL	54.5 HA
131	EMBU/KAMARANDI/682	STANLEY MURIITHI PAUL	54.5HA
132	EMBU/KAMARANDI/683	DAVID WAIGANJO KIGWE	62.5 HA
133	EMBU/KAMARANDI/683	DAVID WAINGAJO KIGWE	62.5HA
134	EMBU/KAMARANDI/685	EPHENTUS MUGO MBURIA	21.0 HA
135	EMBU/KAMARANDI/686	NYAGA M'NDUGO	22.0 HA
136	EMBU/KAMARANDI/687	IRERI NJUE	13.8HA
137	EMBU/KAMARANDI/688	COUNTY COUNCIL OF EMBU	5.6 HA
138	EMBU/KAMARANDI/689	NJERU M'NGUGI	10.0 HA
139	EMBU/KAMARANDI/690	MAGUU MUTIE	10.4HA

× 2194.44 ha

140	EMBU/KAMARANDI/691	NJERU NJIRU(MINOR)	23.0 HA
141	EMBU/KAMARANDI/692	JOSEPH NGACHA KARANI	29.0 HA
142	EMBU/KAMARANDI/693	IRERI NJERU (Minor)	26.0 HA
143	EMBU/KAMARANDI/694	NJERU MUNDUWA MUKUNDI	6.2 HA
144	EMBU/KAMARANDI/695	MAGU MUNA	4.0 HA
145	EMBU/KAMARANDI/696	NJERU MAKONGE	5.0 HA
146	EMBU/KAMARANDI/697	NTHIGA NJUE	5.6 HA
147	EMBU/KAMARANDI/698	RUNJI KANDIA	3.0 HA
148	EMBU/KAMARANDI/699	NYAGA MUBARI	3.0 HA
149	EMBU/KAMARANDI/700	KIBUGI MUBARI	2.4 HA
150	EMBU/KAMARANDI/701	NJUE DNAGANIE	1.5 HA
151	EMBU/KAMARANDI/702	GAKUBI NJURI	1.9 HA
152	EMBU/KAMARANDI/703	NJERU MBOGO	2.4 HA
153	EMBU/KAMARANDI/704	FILEX MUGENDI KAMWEA	3.6 HA
154	EMBU/KAMARANDI/705	NTHIGA MUNA	3.8 HA
155	EMBU/KAMARANDI/706	NDWIGA MUTHANGE	3.8 HA
156	EMBU/KAMARANDI/707	RUTHIGA NJUE	5.8 HA
157	EMBU/KAMARANDI/708	NGARI METHIRANO	2.4 HA
158	EMBU/KAMARANDI/709	NJERU NJUE	5.8 HA
159	EMBU/KAMARANDI/710	NGUNGI MWANGA	9.6 HA
160	EMBU/KAMARANDI/711	NJUE MUGONO	4.4 HA
161	EMBU/KAMARANDI/712	NJERU KITHANGA	8.6 HA
162	EMBU/KAMARANDI/713	NJIRU NJAGI	11.0 HA
163	EMBU/KAMARANDI/714	MURANGI GAKINYA	9.2 HA
164	EMBU/KAMARANDI/715	IRERI NJUE	11.2 HA
165	EMBU/KAMARANDI/716	NDUATI NJUERI	8.2 HA
166	EMBU/KAMARANDI/717	KIBURI KAGUMA	6.8 HA
167	EMBU/KAMARANDI/718	KANYUA WAWERU (Minor)	6.4 HA
168	EMBU/KAMARANDI/719	ALFRED NJERU BENARD MBONGO	10.8 HA

126	EMBU/KAMARANDI/678	MICHAEL NJAGI C/O KATHIANYU	92.0 HA
127	EMBU/KAMARANDI/679	STANLEY MURIITHI PAUL	27.0 HA
128	EMBU/KAMARANDI/680	KITHUKA NTHIGA	0.8 HA
129	EMBU/KAMARANDI/681	KITHAKA MUGO,NJUE MUGO	73.0 HA
130	EMBU/KAMARANDI/682	STANLEY MURIITHI PAUL	54.5 HA
131	EMBU/KAMARANDI/682	STANLEY MURIITHI PAUL	54.5HA
132	EMBU/KAMARANDI/683	DAVID WAIGANJO KIGWE	62.5 HA
133	EMBU/KAMARANDI/683	DAVID WAINGAJO KIGWE	62.5HA
134	EMBU/KAMARANDI/685	EPHENTUS MUGO MBURIA	21.0 HA
135	EMBU/KAMARANDI/686	NYAGA M'NDUGO	22.0 HA
136	EMBU/KAMARANDI/687	IRERI NJUE	13.8HA
137	EMBU/KAMARANDI/688	COUNTY COUNCIL OF EMBU	5.6 HA
138	EMBU/KAMARANDI/689	NJERU M'NGUGI	10.0 HA
139	EMBU/KAMARANDI/690	MAGUU MUTIE	10.4HA

140	EMBU/KAMARANDI/691	NJERU NJIRU(MINOR)	23.0 HA
141	EMBU/KAMARANDI/692	JOSEPH NGACHA KARANI	[illegible]
142	EMBU/KAMARANDI/693	[illegible]	[illegible]
143	EMBU/KAMARANDI/694	[illegible]	[illegible]
144	EMBU/KAMARANDI/695	[illegible]	[illegible]
145	EMBU/KAMARANDI/696	[illegible]	[illegible]
146	EMBU/KAMARANDI/697	[illegible]	[illegible]
147	EMBU/KAMARANDI/698	RUNA KANDIA	[illegible]
148	EMBU/KAMARANDI/699	NYAGA MUBARI	3.0 HA
149	EMBU/KAMARANDI/700	KIBUGI MUBARI	2.4 HA
150	EMBU/KAMARANDI/701	NJUE DNAGANIE	1.5 HA
151	EMBU/KAMARANDI/702	GAKUBI NJURI	1.9 HA
152	EMBU/KAMARANDI/703	NJERU MBOGO	2.4 HA
153	EMBU/KAMARANDI/704	FILEX MUGENDI KAMWEA	3.6 HA
154	EMBU/KAMARANDI/705	NTHIGA MUNA	[illegible] HA
155	EMBU/KAMARANDI/706	NDWIGA MUTHANGE	3.8 HA
156	EMBU/KAMARANDI/707	RUTHIGA NJUE	[illegible] HA
157	EMBU/KAMARANDI/708	NGARI METHIRANO	2.4 HA
158	EMBU/KAMARANDI/709	NJERU NJUE	5.8 HA
159	EMBU/KAMARANDI/710	NGUNGI MWANGA	9.6 HA
160	EMBU/KAMARANDI/711	NJUE MUGONO	4.4 HA
161	EMBU/KAMARANDI/712	NJERU KITHANGA	[illegible] HA
162	EMBU/KAMARANDI/713	NJIRU NJAGI	11.0 HA
163	EMBU/KAMARANDI/714	MURANGI GAKINYA	9.2 HA
164	EMBU/KAMARANDI/715	IRERI NJUE	11.2 HA
165	EMBU/KAMARANDI/716	NDUATI NJUERI	8.2 HA
166	EMBU/KAMARANDI/717	KIBURI KAGUMA	5.8 HA
167	EMBU/KAMARANDI/718	KANYUA WAWERU (Minor)	[illegible]
168	EMBU/KAMARANDI/719	ALFRED NJERU BENARO MBONGO	[illegible]

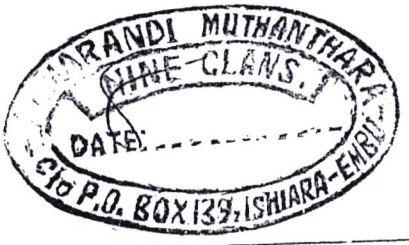


169	EMBU/KAMARANDI/720	ALBINUS NDUMA NDERI	5.8 HA
170	EMBU/KAMARANDI/721	MBOGO NJERU(Minor)	6.4 HA
171	EMBU/KAMARANDI/722	NJIRU NGOMBERI	7.8 HA
172	EMBU/KAMARANDI/723	CHARLES NJERU NJUIRI	7.4 HA
173	EMBU/KAMARANDI/724	EVANS NJERU MURUARERI	6.0HA
174	EMBU/KAMARANDI/726	MWANGI MURUARERI	6.4 HA
175	EMBU/KAMARANDI/727	NTHIGA NGENDU	3.0 HA
176	EMBU/KAMARANDI/728	BORNFACE GEORGE NGUNDI GAITAH	5.2 HA
177	EMBU/KAMARANDI/729	IRERI NJAGI	4.2 HA
178	EMBU/KAMARANDI/730	LAWRENCE NJERU N. NGINYIRWA	7.6 HA
179	EMBU/KAMARANDI/731	NJIRU MUNDUANGOTHO	9.8 HA
180	EMBU/KAMARANDI/732	NJAGI KITHIMO	8.8 HA
181	MBU/KAMARANDI/733	ALEXENDER NYAGA SILUS(MINOR)	10.0HA
182	EMBU/KAMARANDI/734	ADOLF KAVUNGURA RURI	3.2 HA
183	EMBU/KAMARANDI/735	COUNTY COUNCIL OF EMBU	7.4 HA
184	EMBU/KAMARANDI/736	SILUS NJIRU MUCHELE	15.0 HA
185.	EMBU/KAMARANDI/737	LUCY WANGARI GITHAIGA	7.0 HA
186	EMBU/KAMARANDI/738	NJIRU MATHIGA	7.0 HA

187	EMBU/KAMARANDI/739	DAVID NJIRU MUTUNGA	7.2 HA
188	EMBU/KAMARANDI/740	NYAGA NDAMUKI	6.2 HA
189	EMBU/KAMARANDI/741	MUTURI MUGAI	9.0 HA
190	EMBU/KAMARANDI/742	DAVID NJIRU MBOGO	7.6 HA
191	EMBU/KAMARANDI/743	FESTO GINJI MBOGO	8.0 HA
192	EMBU/KAMARANDI/744	MBITI MACHAMBA	6.6 HA
193	EMBU/KAMARANDI/745	KARERA MUCHERE	6.6 HA
194	EMBU/KAMARANDI/746	GICHANJO MWANGIRE	17.5HA
195	EMBU/KAMARANDI/747	GITONGA MUKANDI	6.0HA
196	EMBU/KAMARANDI/748	GITONGA MUKANDI	9.2HA
197	EMBU/KAMARANDI/749	NDWIGA KITHINJI	6.0HA
198	EMBU/KAMARANDI/775	MWANGANGI NDWIGA(minor)	7.0 HA
199	EMBU/KAMARANDI/776	JOSEPH KIHARA KARIUKI	19.5 HA
200	EMBU/KAMARANDI/777	JOHN NDUNGU KARIUKI	24.0 HA
201	EMBU/KAMARANDI/779		
202	EMBU/KAMARANDI/829	NJERU MUKANDI NDAVA	37.0HA
203	EMMBU/KAMRANDI/830	MWANIKI NJIRU	1.5HA
204	EMBU/KAMARNDI/831	DONIUIS NGOCI	1.9HA
205	EMBU/KAMARANDI/832	FRANCIS NJERU MARUMBU	2.4HA
206	EMBU/KAMARANDI/833	NTHIGA WANGOMBE	1.5HA
207	EMBU/KAMARANDI/834	ALEXANDER MWANIKI NJERU	2.8HA
208	EMBU/KAMARANDI/855	NTHIGA NJUE	4.6HA
209	EMBU/KAMARANDI/856	(1).NJERU MUKANDI (2).GICHANJO MWANGIRE	8.6HA

169	EMBU/KAMARANDI/720	ALBINUS NDUMA NDERI	5.8 HA
170	EMBU/KAMARANDI/721	MBOGO NJERU(Minor)	6.4 HA
171	EMBU/KAMARANDI/722	NJIRU NGOMBERI	7.8 HA
172	EMBU/KAMARANDI/723	CHARLES NJERU NJUIRI	7.4 HA
173	EMBU/KAMARANDI/724	EVANS NJERU MURUBAERI	6.0HA
174	EMBU/KAMARANDI/726	MWANGI MURUBAERI	6.4 HA
175	EMBU/KAMARANDI/727	NTHIGA NGENDO	3.0 HA
176	EMBU/KAMARANDI/728	BORNFACE GEORGE NGUNDI GAITAH	5.2 HA
177	EMBU/KAMARANDI/729	IBERI NJAGI	4.2 HA
178	EMBU/KAMARANDI/730	LAWRENCE NJERU N. NGINYIRWA	7.6 HA
179	EMBU/KAMARANDI/731	NJIRU MUNDUANGOTHO	9.8 HA
180	EMBU/KAMARANDI/732	NJAGI KITHIMO	8.8 HA
181	MBU/KAMARANDI/733	ALEXENDER NYAGA SILUS(MINOR)	10.0HA
182	EMBU/KAMARANDI/734	ADOLF KAVUNGURA RURI	3.7 HA
183	EMBU/KAMARANDI/735	COUNTY COUNCIL OF EMBU	7.4 HA
184	EMBU/KAMARANDI/736	SILUS NJIRU MUCHEKE	15.0 HA
185	EMBU/KAMARANDI/737	LUCY WANGAI GITHAE	7.0 HA
186	MBU/KAMARANDI/738	NJIRU JAMES	

191	EMBU/KAMARANDI/742	DAVID NJIRU MBOGO	31.7 HA
192	EMBU/KAMARANDI/743	PETER GITAU MBOGO	7.0 HA
193	EMBU/KAMARANDI/744	MUITI MACHAMBA	8.0 HA
194	EMBU/KAMARANDI/745	KARERA MUCHERE	6.6 HA
195	EMBU/KAMARANDI/746	GICHANJO MWANGIRE	6.6 HA
196	EMBU/KAMARANDI/747	GITONGA MUKANDI	12.5HA
197	EMBU/KAMARANDI/748	GITONGA MUKANDI	6.0 HA
198	EMBU/KAMARANDI/749	NDUNGA KITHUU	3.2HA
199	EMBU/KAMARANDI/750	MWANGANGI NDUNGA(MINOR)	6.0HA
200	EMBU/KAMARANDI/751	JOSEPH KIHARA KANUNI	7.0 HA
201	EMBU/KAMARANDI/752	JOHN NDUNGU KAHUNI	12.5 HA
202	EMBU/KAMARANDI/753		24.0 HA
203	EMBU/KAMARANDI/754	NJERU KARANDI NDAYA	37.0HA
204	EMBU/KAMARANDI/830	MWANGI NJIRU	1.5HA
205	EMBU/KAMARANDI/831	DOMINUS NGOCI	2.7HA
206	EMBU/KAMARANDI/832	FRANCIS NJERU MARUMBU	2.2HA
207	EMBU/KAMARANDI/833	NTHUA WANGOMBE	2.0HA
208	EMBU/KAMARANDI/834	ALEXANDER MWAURI NJERU	2.4HA
209	EMBU/KAMARANDI/835	ANTHUA NJUE	4.0HA



		(3).MUTURI MUGAII	
210	EMBU/KAMARANDI/859	NG'OMBERI KAGUMA	6.2HA
211	EMBU/KAMARANDI/866	KARUGU KARUGERIA	8.2 HA
212	EMBU/KAMARANDI/867	KATHURE KARABI MWENDWA	9.2 HA
213	EMBU/KAMARANDI/868	MUTUA GATIMO	9.2 HA
214	EMBU/KAMARANDI/869	CHIENGE MWANGANGI	7.2 HA
215	EMBU/KAMARANDI/870	KITHURE MUGAO	7.6 HA
216	EMBU/KAMARANDI/871	NTHIOMI NGAMIA	1.5HA
217	EMBU/KAMARANDI/872	NJERU NJAGI MAGICHI	2.2HA
218	EMBU/KAMARANDI/878	EMBU COUNTY COUNCIL	2.8HA
219	EMBU/KAMARANDI/886	LAMECHI NJEGE MAGICHI	7.2 HA
220	EMBU/KAMARANDI/887	NGARI MUTHEE	3.8 HA
221	EMBU/KAMARANDI/888	DANIEL NJAGI MAGICHI	5.0HA
222	EMBU/KAMARANDI/889	KIURA NGARU	3.4 HA
223	EMBU/KAMARANDI/890	NYAGA NTHIGA	1.9 HA
224	EMBU/KAMARANDI/891	DAVID KAUMBUTHU MWANGANGI	1.9 HA
225	EMBU/KAMARANDI/893	BENSON IGUNA MUNA	10.8HA
226	EMBU/KAMARANDI/894	NYAGA MUTHAGE	7.6HA
227	EMBU/KAMARANDI/895	NGUNGI MUBARI	9.2HA
228	EMBU/KAMARANDI/896	MUCIRI NTHAGAINE	10.0HA
229	EMBU/KAMARANDI/897	MUNYI MACHARIA	16.0HA
230	EMBU/KAMARANDI/898	BENSON IGUNA MUNA	10.8 HA
231	EMBU/KAMARANDI/899	NJUE MUBARI	12.4 HA
232	EMBU/KAMARANDI/908	GITITI METHIRANO	3.6 HA
233	EMBU/KAMARANDI/913	WAWERU MWINYI M'NGUNGI	7.8 HA
234	EMBU/KAMARANDI/914	NGOMBERI KAGUMA	33.5 HA
235	EMBU/KAMARANDI/915	SAMUEL MBURU NJUGUNA	7.6 HA
236	EMBU/KAMARANDI/916	NJUE NJIRU	30.6 HA
237	EMBU/KAMARANDI/917	NJERU GACIRIRIA	12.6 HA
238	EMBU/KAMARANDI/918	MACHAKI KAVUNGURA	15.2 HA
239	EMBU/KAMARANDI/919	REUBEN NJERU NJIRU	32.5 HA
240	EMBU/KAMARANDI/920	BENARD MBOGO NJIRU	15.5 HA
241	EMBU/KAMARANDI/921		
242	EMBU/KAMARANDI/922	MZEE MUNYAMBU	12.2 HA
243	EMBU/KAMARANDI/923	NDWIGA NYAGA	6.0 HA
244	EMBU/KAMARANDI/924	NZOKA MURAGO SHIMBA	14.0HA
245	EMBU/KAMARANDI/929	NJERU MBOGO	8.0 HA
246	EMBU/KAMARANDI/930	NJIRU KIBARI	4.4 HA
247	EMBU/KAMARANDI/931	NGUTEERE NJERU	6.0HA
248	EMBU/KAMARANDI/932	NYAGA NJIRU	1.1HA
249	EMBU/KAMARANDI/936	SEVERIO RURI NJUIRI	11.2 HA
250	EMBU/KAMARANDI/939	DAVID MWARIRI S/O MURORU NJUGUNA	4.6 HA
251	EMBU/KAMARANDI/946	PAUL KIBE KIMANI	12.0 HA
252	EMBU/KAMARANDI/953	NJIRU NJAGI MAGICHI	2.6 HA



		(3).MUTURI MUGAI	
210	EMBU/KAMARANDI/859	NG'OMBERI KAGUMA	6.2HA
211	EMBU/KAMARANDI/866	KARUGU KARUGERIA	8.2 HA
212	EMBU/KAMARANDI/867	KATHURE KARABI MWENDWA	9.2 HA
213	EMBU/KAMARANDI/868	MUTUA GATIMO	9.2 HA
214	EMBU/KAMARANDI/869	CHIENGE MWANGANGI	7.2 HA
215	EMBU/KAMARANDI/870	KITHURE MUGAO	7.6 HA
216	EMBU/KAMARANDI/871	NTHIOMI NGAMIA	1.5HA
217	EMBU/KAMARANDI/872	NJERU NIAGI MAGICHI	2.2HA
218	EMBU/KAMARANDI/878	EMBU COUNTY COUNCIL	2.8HA
219	EMBU/KAMARANDI/886	LAMECHI NJEGE MAGICHI	7.2 HA
220	EMBU/KAMARANDI/887	NGARI MUTHEE	3.8 HA
221	EMBU/KAMARANDI/888	DANIEL NIAGI MAGICHI	5.0HA
222	EMBU/KAMARANDI/889	KIURA NGARU	3.4 HA
223	EMBU/KAMARANDI/890	NYAGA NTHIGA	1.9 HA
224	EMBU/KAMARANDI/891	DAVID KAUMBUTHU MWANGANGI	1.9 HA
225	EMBU/KAMARANDI/892	BENSON IGUNA MUNA	10.8HA
226	EMBU/KAMARANDI/894	NYAGA MUTHAGE	7.6HA
227	EMBU/KAMARANDI/895	NGERA MURIA	6.2HA
228	EMBU/KAMARANDI/896	MUGERA MUNA	6.6 HA
229	EMBU/KAMARANDI/897	JOHN MAINA	10 HA
230	EMBU/KAMARANDI/898	[illegible]	1.2 HA
231	EMBU/KAMARANDI/899	[illegible]	1.2 HA
232	EMBU/KAMARANDI/900	[illegible]	1.2 HA
233	EMBU/KAMARANDI/913	WAWERU MWINYI MUNGAI	1.8 HA
234	EMBU/KAMARANDI/914	NGOMBERI KAGUMA	23.5 HA
235	EMBU/KAMARANDI/915	SAMUEL MBURU NJUGUNA	7.5 HA
236	EMBU/KAMARANDI/916	NJUE NJIRU	30.8 HA
237	EMBU/KAMARANDI/917	NJERU GACIRIA	12.6 HA
238	EMBU/KAMARANDI/918	MACHAKI KAVUNGURA	15.2 HA
239	EMBU/KAMARANDI/919	REUBEN NJERU NJIRU	23.5 HA
240	EMBU/KAMARANDI/920	BENARD MBOGO NJIRU	15.2 HA
241	EMBU/KAMARANDI/921		
242	EMBU/KAMARANDI/922	MZEE MUNYAMBU	12.2 HA
243	EMBU/KAMARANDI/923	NDWIGA NYAGA	6.0 HA
244	EMBU/KAMARANDI/924	[illegible] MURAGO CHUMBA	14.0HA
245	EMBU/KAMARANDI/925	NJERU MBOGO	8.0 HA
246	EMBU/KAMARANDI/930	NJIRU KIBARI	4.4 HA
247	EMBU/KAMARANDI/931	MUTUE GEORGE NJERU	6.0HA
248	EMBU/KAMARANDI/932	NYAGA NJIRU	1.7HA
249	EMBU/KAMARANDI/934	SEVERINO BURI NJUE	12.2 HA
250	EMBU/KAMARANDI/935	DAVID MWARIRI WO MURORU NJUGUNA	4.6 HA
251	EMBU/KAMARANDI/946	PAUL KIAE KIMANI	12.0 HA
252	EMBU/KAMARANDI/954	[illegible]	2.6 HA



253	EMBU/KAMARANDI/954	LAMECHI NJEGE	1.1 HA
254	EMBU/KAMARANDI/959	JOSEPH MUTHUI MURAGE	3.8 HA
255	EMBU/KAMARANDI/962	STANELY MURITHI PAUL	10.0 HA
256	EMBU/KAMARANDI/963	NAOMI NGAMIA	39.5 HA
257	EMBU/KAMARANDI/964	PETER NJUGUNA MURAGE	13.8 HA
258	EMBU/KAMARANDI/965	DAVID MWARIRI S/O MUHORO NJUGUNA	12.0 HA
259	EMBU/KAMARANDI/966	EMBU COUNTY COUNCIL	1.5 HA
260	EMBU/KAMARANDI/969	CHRISTOPHER MWANGI MACHARIA	24.0 HA
261	EMBU/KAMARANDI/970	KAGURI WAMAIRWE	24.0 HA
262	EMBU/KAMARANDI/971	FRANCIS ROBERT MWANGI GITURU	18.0 HA
263	EMBU/KAMARANDI/979	JOHN .E. NYAGA	0.7 HA
264	EMBU/KAMARANDI/980	RICHARD NYAGA THIRIKU	0.6 HA
265	EMBU/KAMARANDI/981	TITUS MUCHOKI MUCHINA	1.9 HA
266	EMBU/KAMARANDI/982	EUTYCHUS MURIITHI NDERI	45.0 HA
267	EMBU/KAMARANDI/983	PETER ISAAC KIGETU MUNYINYI	11.4 HA
268	EMBU/KAMARANDI/984	PETER MAKUNO KINORU	14.9 HA
269	EMBU/KAMARANDI/985	JAMES KIBE KIHARA	20.0 HA
270	EMBU/KAMARANDI/989	GEORGE MBUGUA DANIEL KAGO	11.6 HA
271	EMBU/KAMARANDI/990	GEORGE MBUGUA DAVID KAGO	11.6 HA
272	EMBU/KAMARANDI/991	CLEMENT KAMAU	10.6 HA
273	EMBU/KAMARANDI/997	JOHANNA IRERI SIMON	18.5HA
274	EMBU/KAMARANDI/998	JOSEPH GACHECHE KAMAU	20.25HA
275	EMBU/KAMARANDI/999	DIOCESES OF EMBU TRUSTEES REGISTERS	20.25HA
276	EMBU/KAMARANDI/1011	MORRIS G.NJAGE	20.23HA
277	EMBU/KAMARANDI/1012	MORRIS GUCHURA NJAGE	20.23HA
278	EMBU/KAMARANDI/1013	MUKIKI FARMERS COMPANY L.T.D	20.23HA
279	EMBU/KAMARANDI/1014		
280	EMBU/KAMARANDI/1019	ELPHAS JACOB MBUREA	4.0 HA
281	EMBU/KAMARANDI/1020	ELPHAS JACOB MBUREA	3.92 HA
282	EMBU/KAMARANDI/1021	ELPHAS JACOB MBUREA	2.07 HA
283	EMBU/KAMARANDI/1022	ELPHAS JACOB MBUREA	2.03 HA
284	EMBU/KAMARANDI/1023	ELPHAS JACOB MBUREA	0.93 HA
285	EMBU/KAMARANDI/1024	ELPHAS JACOB MBUREA	1.01 HA
286	EMBU/KAMARANDI/1025	ELPHAS JACOB MBUREA	0.97 HA
287	EMBU/KAMARANDI/1026	ELPHAS JACOB MBUREA	0.98 HA
288	EMBU/KAMARANDI/1027	ELPHAS JACOB MBUREA	11.0 HA
289	EMBU/KAMARANDI/1046	NIKASIO NYAGA NGENDU	20.47 HA
290	EMBU/KAMARANDI/1047	JOHANA IRERI SIMON	81.0 HA
291	EMBU/KAMARANDI/1048	JOHANA IRERI SIMON	14.20 HA
292	EMBU/KAMARANDI/1049	MUKIKI FARMERS COMPANY LTD	20.0 HA
293	EMBU/KAMARANDI/1050	JOHANA IRERI SIMON	3.70 HA

Total 3663.12 Ha

253	EMBU/KAMARANDI/954	LAMECHI NJEGE	1.1 HA
254	EMBU/KAMARANDI/959	JOSEPH MUTHUI MURAGE	3.8 HA
255	EMBU/KAMARANDI/962	STANELY MURITHI PAUL	10.0 HA
256	EMBU/KAMARANDI/963	NAOMI NGAMIA	39.5 HA
257	EMBU/KAMARANDI/964	PETER NJUGUNA MURAGE	13.8 HA
258	EMBU/KAMARANDI/965	DAVID MWARIRI S/O MUHORO NJUGUNA	12.0 HA
259	EMBU/KAMARANDI/966	EMBU COUNTY COUNCIL	1.5 HA
260	EMBU/KAMARANDI/969	CHRISTOPHER MWANGI MACHARIA	24.0 HA
261	EMBU/KAMARANDI/970	KAGURI WAMAIRWE	24.0 HA
262	EMBU/KAMARANDI/971	FRANCIS ROBERT MWANGI GITURU	18.0 HA
263	EMBU/KAMARANDI/979	JOHN .E. NYAGA	0.7 HA
264	EMBU/KAMARANDI/980	RICHARD NYAGA THIRIKU	0.6 HA
265	EMBU/KAMARANDI/981	TITUS MUCHOKI MUCHINA	1.9 HA
266	EMBU/KAMARANDI/982	EUTYCHUS MURIITHI NDERI	45.0 HA
267	EMBU/KAMARANDI/983	PETER ISAAC KIGETU MUNYINYI	11.4 HA
268	EMBU/KAMARANDI/984	PETER MAKUNO KINORU	14.9 HA
269	EMBU/KAMARANDI/985	JAMES KIBE KIHARA	20.0 HA
270	EMBU/KAMARANDI/989	GEORGE MBUGUA DANIEL KAGO	11.6 HA
271	EMBU/KAMARANDI/990	GEORGE MBUGUA DAVID KAGO	11.6 HA
272	EMBU/KAMARANDI/991	CLEMENT KAMAU	10.6 HA
273	EMBU/KAMARANDI/997	JOHANNA IRERI SIMON	18.5 HA
274	EMBU/KAMARANDI/998	JOSEPH GACHECHE KAMAU	20.25 HA
275	EMBU/KAMARANDI/999	DIOCESES OF EMBU TRUSTEES REGISTERED	20.25 HA
276	EMBU/KAMARANDI/1011	MORRIS G.NJAGE	20.25 HA
277	EMBU/KAMARANDI/1012	MORRIS GUCHUGA NJAGE	20.25 HA
278	EMBU/KAMARANDI/1013	MUKIKI FARMERS COMPANY L.T.D	20.23 HA
279	EMBU/KAMARANDI/1014		
280	EMBU/KAMARANDI/1019	ELPHAS JACOB MBUREA	4.0 HA
281	EMBU/KAMARANDI/1020	ELPHAS JACOB MBUREA	3.92 HA
282	EMBU/KAMARANDI/1021	ELPHAS JACOB MBUREA	2.07 HA
283	EMBU/KAMARANDI/1022	ELPHAS JACOB MBUREA	2.03 HA
284	EMBU/KAMARANDI/1023	ELPHAS JACOB MBUREA	0.93 HA
285	EMBU/KAMARANDI/1024	ELPHAS JACOB MBUREA	1.01 HA
286	EMBU/KAMARANDI/1025	ELPHAS JACOB MBUREA	0.97 HA
287	EMBU/KAMARANDI/1026	ELPHAS JACOB MBUREA	0.98 HA
288	EMBU/KAMARANDI/1027	ELPHAS JACOB MBUREA	11.0 HA
289	EMBU/KAMARANDI/1046	NIKASIO NYAGA NGENDU	20.47 HA
290	EMBU/KAMARANDI/1047	JOHANA IRERI SIMON	81.0 HA
291	EMBU/KAMARANDI/1048	JOHANA IRERI SIMON	14.20 HA
292	EMBU/KAMARANDI/1049	MUKIKI FARMERS COMPANY LTD	20.0 HA
293	EMBU/KAMARANDI/1050	JOHANA IRERI SIMON	3.70 HA

Office Of The Chief,
Kamarandi Location
P.O. Box 95,
ISHIARA.
4th Sept. 2013

Mr. Francis Kamunyu

You are hereby called to appear in this office on friday 6/9/2013 at 10.00Am Sharp.

CHIEF
KAMARANDI LOCATION.
D. I. Gitonga

Office Of The Chief
Kamarandi Location
P.O. Box 95,
ISHIARA.
4th Sept. 2013

Mr. KABURU KIRIENE

You are hereby called to appear in this office on friday 6/9/2013 at 10.00Am Sharp.

CHIEF
KAMARANDI LOCATION.
D. I. Gitonga

Office Of The Chief,
Kamarandi Location,
P.O- Box 95,
ISIOLA.
4th Sept. 2013

MR. NYAGA KANAMPIU

You are hereby called to appear in this office on Friday 6/9/2013. at 10.00am. Please avoid yourself in Person and without fail.

CHIEF
KAMARANDI LOCATION.
B.I. Gitonga

Office Of The Chief,
Kamarandi Location
P.O Box 95,
ISIOLA.
4th Sept. 2013.

MR. Kienga Mbugi

You are hereby called to appear in the Chief's office on Friday 6/9/2013 at 10.00am Sharp.

CHIEF
KAMARANDI LOCATION
B.I. Gitonga

Nyagg
~~NJERU~~ Kanampiu

Kienga Mbugi

Office of the Chief
Kamarandi Location
P.O. Box 95
Ishara
4th Sept 2013

Mr. NJERU KANAMPU

You are hereby called to appear in this office on Friday 6/9/2013. Please avail yourself in person and without fail.

CHIEF
KAMARANDI LOCATION.
B.I. Gutonga

Office of the Chief
Kamarandi Location
P.O. Box 95
Ishara
4th Sept 2013

Mr. Ngoci Kiria

You are hereby called to appear in the Chief's office on Friday 6/9/2013 at 10.00 AM Sharp.

CHIEF
KAMARANDI LOCATION.
B.I. Gutonga

Office Of The Chief
Kamarandi Location
P.O. Box 95
ISHIARA
4th Sept. 2013

Mr Mugao Saviro

You are hereby called to appear in this office on friday 6/9/2013 at 10.00Am sharp.

CHIEF
KAMARANDI LOCATION

B. Lubonga

Office Of The Chief
Kamarandi Location
P.O. Box 95
ISHIARA
4th Sept. 2013

Mr. MUCHEE NCHENG'U

You are hereby called to appear in this office on friday 6/9/2013 at 10.00Am sharp.

CHIEF
KAMARANDI LOCATION

B. Lubonga

SUBMISSION TO THE SENATE STANDING COMMITTEEON LAND, ENVIROMENT AND NATURAL RESOURCES DURING THE CONSIDERATION OF A PUBLIC PETION REGARDING PLIGHT OF THE LANDLESS IN MUTHANTHARA SUB LOCATION,MBEERE NORTH IN EMBU COUNTY

1. Honorable Chairperson of the committee members, ladies and gentlemen, I greet you all,

   It is my privilege and honour to stand before you together with the Muthanthara nine clan's representatives and present my submission to you. I wish from the onset to affirm that all what is deponed herein is true to the best of my knowledge, information and belief.

2. **Hon. Chairperson**

   I am glad the tribulations and plight of Muthanthara residents who are facing forceful eviction by the people who claim to own the land parcels they currently occupy is now in public domain. The legitimate hope of Muthanthara residents is to get registration documents for the pieces of land they have occupied since 1960s and be issued with Title Deeds after the demarcation process.

3. **Hon.Chairperson**

   Land fraud in Muthanthara was perpetrated by fraudsters working in cahoots with corrupt public officials in Embu which culminated in fraudulent issuance of title deeds to undeserving persons to the detriment of the Tharaka Minority community. Secondly the invasion of our land took place in the seventies, when the Senior Administrative Officer in that time unleashed violence to Tharaka minority community living in Muthanthara area ordering them to go back to Tharaka Nithi, then called Meru District. The Community approached the Ministry of Lands and settlement in Embu (evidence letters enclosed) as well as the Local Administration from location level up to the Provincial Commissioner's level with our plight remaining unresolved.

4. **Hon.Chairperson**

The Tharaka Community has lived in the area for more than 100 years, they don't have any other place to call home. We presented our complaints to the District Officer, District Commissioner, Criminal Investigation Department, District Land Registrar, Ministry of Lands and Settlement Embu, The Provincial Commissioner Eastern Province, Members of Parliament representing the constituency, The Minister for Lands and settlement headquarters that time with no resolution forthcoming.

5. **Hon.Chairperson**

In 1993 clashes erupted between Mbeere and Tharaka Communities after having coexisted peacefully for decades. Security agencies in Eastern Province did nothing even after letters were written to them after the deadly clashes. Visits by Tharaka Elders to various Government agencies yielded nothing. The Muthanthara Community has endured decades of maladministration and discrimination. Through this petition, we hereby humbly request the fact finding through this committee of the senate of the Republic of Kenya be expedited so as to establish the truth regarding the real ownership status of the land in question. Conclusive resolution of this matter will not only entrench peaceful coexistence and tranquility but also secure and protect the Tharaka Minority Community from harassment and intimidation by third parties.

6. **Hon.Chairperson**

We request the Government to impartially enforce the law to get rid of all organized criminal fraudsters that are terrorizing the minority Tharaka community in Muthanthara sub-location Kamarandi location, Mbeere North in Embu County. We appeal to the Ministry of Lands and settlement to initiate the process of declaring Muthanthara an adjudication area.

7. **Hon.Chairperson**

We remain aware that there are Government Officials who were involved in fraudulent issuance of title Deeds to the people who don't even know the area of Muthanthara Sub Location, Kamarandi location, Mbeere North in Embu County. Our prayer is that this Senate standing committee on Land, Environment and Natural Resources hears our plea and make orders they deems fit for our legitimate right to own land is realized. We pray that the land we have called home for decades is adjudicated, registered and that the Minority Tharaka community is issued with title deeds as testament for the land ownership.

Presented by;
Spokesman for Muthanthara
Nine Clans Committee.



PETER KANGWARU NYAGA
EMAIL: nyagapeter028@gmail.com
Phone : 0721 886 839/0736590135

7

MUTHANTHARA LAND PROBLEM REPORT SUBMITTED TODAY THE 24TH MAY 2012 TO THE PERMANENT SECRETARY – MINISTRY OF LANDS NAIROBI



BY

WILSON MUTEGI NYAGAH

MONITOR EASTERN PROVINCE- CONSTITRUTION AND REFORM EDUCATION CONSORTIUM (CRECO)

CONTACT:

0727 678 497 OR 0736 110 553

EMAIL: muteginyaga@gmail.com

Public Hearing 14/06/2012

WILSON MUTEGI NYAGAH

CRECO-MONITOR

EASTERN PROVINCE

P.O BOX 681

MWINGI.



24TH MAY 2012.

THE PERMANENT SECRETARY,

MINISTRY OF LANDS- NAIROBI

BOX 30450

NAIROBI.

ATT. MR. ABURA

Dear sir,

RE: MUTHANTHARA LAND

PROBLEM IN MBEERE NORTH DISTRICT, EASTERN PROVINCE:

I wish to bring to your attention that Tharaka community herein referred to as the minority group living in Mbeere north District lived in the area since 1901. This tribe has been living in the area as one of the smallest tribe in the region as farmers as well as well as livestock keepers for the last 100years.

Come 1972, by then chief Mr. Maguu Mutie carried survey in the area who later didn't issue title deeds to the group which were living in the land despite the fact that he had assured them for but when the title deeds were out, the group came to learn after some years that the foreigners benefited with the rightful ownership documents.

The then chief Maguu Mutie held a meeting on 21st August 1975 whereby he ordered all the Tharaka community to vacate the area by giving them a verbal seven days notice, On 31st of August 1975, Mr.Mutie (chief) came during the midnight with administration police officers and beaten up Tharaka community badly therefore inflicting some injuries to the minority group.

Attached please find some copies of the marked BM1 – BM2 for prove/ the letter drawn to your office dated 16th Feb 1980 by Muthanthara group.

After realizing these controversies, the Tharaka community through their elders met and drew several complaints letters to different government agencies which were never responded to.

After these complaints were plainly heard The district commissioner Mbeere sent DO1 to muthanthara area and cautioned the Mbeere group to stop violating and threatening the lives of other tribes who had lived in the area for long.

Please sir/madam after following it up, I came to realize that the problem has been influenced by the chief Maguu Mutie who later went to an extent of assisting the foreigners acquire title deeds from that area where the owners were left to cry without support. Tharaka community through the District land registrar applied for search which was issued out on 9/10/08 indicating title number and beneficiaries marked "EMBU/KAMARANDI/499 to EMBU/KAMARANDI 518-Embu/ Kamarandi/293. Please find copies marked MF3-MF9

On 16.09.2011 I wrote a letter subjecting above to the Provincial commissioner Eastern Province to intervene and on 21 September 2011 Madam PC Eastern on a letter reference No LND up to today it has not produced fruits

My request to your office Sir/Madam is to kindly request you to intervene and possibly assist the group in finding the lasting solution as well as putting off the use and ownership of these title deeds as these could bring tribal clashes between Mbeere and Tharaka Community.

Yours in community service

Wilson Mutegi Nyagah.

Contact:

0727 678 497

Email: muteginyaga@gmail.com.

CC: PC. EASTERN PROVINCE

: MINISTER OF INTERNAL SECURITY/PROVINCIAL ADMINISTRATION.

OFFICE OF THE PRESIDENT

PROVINCIAL ADMINISTRATION AND INTERNAL SECURITY

Telegrams: "PROVINCER", Embu
Telephone: Embu 31020/1 and 31023/4
Fax: 30784 and 31022
E-mail: proveastern07@yahoo.com
When replying please quote

Ref. No. LND 4/II/VOL XXII/77
and date

OFFICE OF THE
PROVINCIAL COMMISSIONER
EASTERN PROVINCE
P.O. Box 455–60100
EMBU

21st September, 2011

Mrs Patricia Nyaindi
The Chief Executive Officer
Truth Justice and Reconciliation Commission - Kenya
5TH Floor NHIF Car Park
Ragati Road
P O Box 14641 -00800
NAIROBI

RE: COMPLAINT BY THARAKA COMMUNITY IN MBEERE NORTH DISTRICT

The members of the Tharaka Community in Muthanthara Sub Location have a complaint over land and have intimated that they want your esteemed commission to address the same.

This is therefore to introduce them to you for any assistance you may render.

Attached please find relevant correspondences on the same.

B. K. OPWORA
FOR: PROVINCIAL COMMISSIONER
EASTERN PROVINCE

WILSON MUTEGI NYAGAH
CRECO – MONITOR
EASTERN PROVINCE
EMAIL. muteginyaga@gmail.com
P.O BOX 681 MWINGI
15-09-2011

THE PROVINCIAL COMMISSIONER
EASTERN PROVINCE
P.O BOX 455
EMBU

Dear Madam

RE: MUTHANTHARA LAND ISSUE MBEERE NORTH

I am writing referring to the complaints letter dated 26h September 1992 and copied to your office stating the land problems between Mbeere and Tharaka community who stays in Muthanthara for the last 72 years. Tharaka community claims that they have been living in distress and fears following several threats and official eviction orders made by your chief by then Maguu Mutie. Maguu Mutie the former chief has been a problem to the community living in Muthanthara land who made the DC Mbeere to send DO1 on 8th June 1985 and cautioned the two tribes to live in harmony.

Please Madam, the Tharaka community who lived in the area since 1901, continue to suffer physiologically due to Mbeere life threats hence writing several complaints letters to the provincial administrators without bearing fruits.

By copies of letters attached here with marked MCI (3). MCI (1). ME (1) AND ME (2) request your office to intervene and come up with lasting solution because I have faith with your office.

NB. Kindly organize to call for a public meeting and get for the group
Again the said chief has sold if not given illegally some portion of land belonging to Tharaka community to foreigners who are not from the said land as marked under MF3-MF9.

Hope Madam you will treat this matter with a lot of urgency.

Yours in community service

WILSON MUTEGI NYAGA
Cell 0727678497
Email muteginyaga@gmail.com

INTERPRITATION OF ME (1B)

NOTICE – NOTICE:

All Tharaka people living in Kamarandi, we notify you we are tired of staying together, so come 31/3/2010 you ought to have moved to your land of origin. We know some of you came from Mbunja and kathandeni in Tharaka District. Kamarandi which is Mbeere North District has owners.

NOTE: That we have sworn with the child **of our age** mate, incase by the time you won't have moved "YOU SHALL FACE THE SWORD",

And your MP Siakago Kivuti Ngungi of Nkodemus, stop selling our Mbeere land seeking to be voted in!! Solemnly, - Are you Mp to be giving out our land secretly?
Kivuti Ngungi, these Tharaka you are giving our lands to please them forget them completely.

"THARAKA MUST GO"

REAL LAND OWNERS.

BM 1 - BM 6

The overview of Tharaka experience in Mbeere district

Background information

The Tharaka community is a tribe within Mbeere North District in Siakago constituency, Embu county . We feel that our rights have been totally violated by the administration by siding with one tribe Mbeere tribe. We the Tharaka community have been living in this land before 1900 and therefore , belong to this land . This discrimination began early *1972* during the land demarcation in this Sub – location (Muthanthara). This was done without our awareness. We witnessed people coming in our area led by the then Chief Maguu Mutie with a few askaris. The issue of land demarcation was completely new to us. Whenever we asked the chief what was happening he claimed that they were on a government Mission .

On **21st / 8/ 1975** the chief held a meeting on which we the Tharaka community were ordered to move to Meru District in nine days on the ground that was where our grand parents came from. Following this order, on **31st / 8/ 1975** this chief Maguu Mutie came to our area fully armed with askaris , where the Tharaka community were beaten badly resulting to injuries and death . Some of the people who died include Makunyi Kamuru. This case was reported and the family was not compensated and nothing was done even up to date . Those who were badly injured include M' Mitambo Makembo who filed the case against the chief and after he worn the case the truth was not revealed .

After this incidence there was a meeting held on **22/1/1980** at Ishiara where the District land adjudication officer came to Ishiara to listen to our complaints. He proposed that another meeting to be held **6/2/1980** and asked us to submit a list of all those had no land pieces . A list of 621 men was given to list but later the officer claimed that we were late in forwarding the claims.

On **17thMarch 1980** the then D.O of Siakago Division came to Muthanthara to hear our claims. After heated discussions , the ***D.O*** Said that the problem was behond his powers and promised to bring the D.C to solve the problem for us, but his promises, did not yield anything .

On **8th June 1985** the D.C sent the **D.O 1** Siakago to Muthanthara who had this to say "land dispute should be stopped and be left in the hands of government .Tharaka and Mbeere people should live in harmony . Let no one intrude into the another's territory" . Since then , the Tharaka community have been receiving threat notices from Mbeere that Tharaka should vacate the land failure to which they will face the sword . On *10th* Feb *1984* the then D.O Siakago came to Kogari for a meeting he had conveyed and had this to say "The ark is already full and it is impossible to re – open (*Thibina nimbicuru na ndingihingurika*)

The problem over the creation of Muthanthara sub - location

After all those incidences the discrimination has still continued and the threats being issued . One of these is after the creation of Mbeere south and north. There was the creation of 32 Sub- location in Mbeere North . Among these Sub- locations is Muthanthara which is occupied by Tharaka people out of the 32 Sub – locations only one, that's Muthanthara which has not been given the office . When we complained about this Sub –location , a meeting was held by assistance chief Mr Antony

Njiru . On *25/ 5/ 2009* at Kogari where the delegates from both sides were present to decide on the boundaries .

It was agreed that the boundary of the two new Sub – locations should start from Tana river following the seasonal river Kang'ote to lower boundary of Eyurori. With all this having been 100% agreed there came some changes whereby we did not know how they occurred and all this was under administration pressure

On 16th /6 / 2009 the District Commissioner Mbeere North Mr Chelino came to Ciangera and announced that Kamarandi is a location and contains two Sub – locations namely Muthanthara and Kamarandi sub location .

Issuance of malicious threats

On *5th /2/2010* further threat were issued where some leaflets with message threat were dispersed threatening the Tharaka community to vacate Mbeere District by *31st /3/2010* or else they face the sword .We reported this issue to the local administration and nothing was done and we moved to the provincial administration and we were given the police by the District Commissioner . Our biggest fear is that next time they might attack without warning and leave a history to tell. So, we are urging our government to come out and find the solution to these problems so that we may feel like other Kenyans .

MUTHANTHARA AREA,
KAMARANDI SUB-LOCATION,
EVURORE LOCATION,
P.O BOX ISHIARA,
MBEERE,
16TH FEB 1980,

HON MINISTER OF LAND
HEADQUATERS
NAIROBI

Dear Sir,

RE:LAND PROBLEMS IN MUTHANTHARA AREA

Hon. Minister we write to inform you of the land problems we are facing in this area for long duration of time. We, being Tharaka people, we have been living in this area for more than seventy-five years, paying taxes and getting the identity cards in embu district. Our land problem began when the land demarcations started in this sub-location in 1972.the ten **chief maguru mutie** became discriminative and tribal against us. **(All Tharaka people).**He did not tell us about general meeting for discussing surveying of the land nor chose a person from one tribe to be a member of land committee.They were from his tribe, Mbeere: we only witnessed people coming to this area led by the chief and a few **askaris.**the work of land demarcation was ompletely new to us.
Whenever we asked him what they were doing, he claimed that they were on **government mission**.but, when we heard through rumours that it was land demarcation we kept on going to him to know the truth of the matter. He then proposed a meeting on **21/8/75** at which he ordered us to move to meru district **in nine (9 days)** time, on the grounds that, meru was where our great grand parents came from.

On 312/8/75 he came to our area fully earned with guns together with askaris and local people from his tribe and beat us badly. The most victimized people went and reported at **Runyenjes police station** on 2/9/75.

On **22/1/80** the **District Land Adjudication Officer** came to Ishiara to listen to our complains. He promised another meeting to be held on **6/2/80** and asked us to submit a list of all without land pieces. **A list of 3000 men** was given to him. But he later complained that we were late in forwarding the claims.

On **17/3/80.the D.O of Siakago Division** came to muthanthara to hear our claims. After a heated discussion, the D.O said that the problem was beyond his powers but promised to bring the D.C to try and solve it for us. But his promise never proved itself true. Other D.C'c from those years have also failed to settle our problem.

Our Hon.Minister, we are now forwarding these claims, to you so that you can solve them for us. We don't know where we are told to go since this area is **our rightful place mbeere is our district and not meru.**

Hon Minister, we are writing to you seeking for help from you while trying to keep peace and order so that there should be no blood shed in this area.

After receiving the letter, the D.C sent the D.O land AND siakago to muthanthara on 8/6/85 who had this to say." **LAND DISPUTES SHOULD BE STOPPED AND LEFT IN THE HANDS OF THE GOVERNMENT.YOU THARAKA AND MBEERE PEOPLE SHOUID LIVE IN HARMONY LET NOT ANYONE INTRUDE INTO THE OTHERS TERRITORY".**

Since then, **tharaka people** have kept **receiving threats, notices** and even charges in the law courts. On 10/2/84 the current **chief Evurore Location** came to Muthanthara for a meeting he had convened and had this to say: **"THE ARK IS ALREADY FULL, AND ITS IMPOSSIBLE TO OPEN IT** ***(Thabina nimbuculu na ndingihingurika)"***

On 10/7/85 the same chief-Evurore Location sent calling notices to the following people to report to his office at Ishiara on 16/7/85 .When they reported there, he informed them that they had no land parcels in the location and hence they should move .the persons who were concerned are: **(I) Severino Nyaga NJagi (ii) Gakubi Njagi Njecu (iii)Matumo Njagi Njecu (iv)Mathempe Njagi Njecu (v)Ndagara Kiriambogo (vi)Samuel** Muthee Njagi (vii) Kanampiu Comboco.Attached is a sample Photostat of the calling notices that the chief sent.

Some of the land cases that have a rose so far are as follows :- ***(i)Civil case No 113/1985 of Gichoni Mburasi verses Samuel Muthee of land parcel Embu/Kamarandi/667. (ii) Embu /Kamarandi/744,(iii)Civil case NO 87/1986 between Lamek Njege and James Gakubi of land parcel Embu/kamarandi/954.***

Notices received so far as follows : (I) (Mr. Elephants Githingu Mureithi David sent a notice to *Mr. Daniel Ngochi M'kimake* asking him (M'kimake)to move from land [parcel ***Embu/Kamarandi/611***.(ii) from ***Isaiah Tito Nyaga Kagoche to:Kiriambogo Njecu,M'kajiu Njecu,Kibui M'Ruguri,and Matumo Ncoro*** to move away from land ***parcel Embu/Kamarandi/670 dated 5/for/84.***

At present civil cases *No.87/1986, between Lamek Njege and James Gakuri* of land ***parcel Embu/Kamarandi/***1954 is in process .The case has taken duration of about for years and these cases are money consuming.

On 7/6/88, the D.O Siakago visited the parcel of land in dispute to see for himself what the real problem was. After he (the D.O) and some two Mbeere Visited the place accompanied by the chief and the assistant chief kamarandi, he went and awarded Lamek Njege the suit to be paid Ksh 4000/= as compensation for the trees he (Njege) had claimed were felled on the piece of land .Since the awarding was unfair Mr. James Gakubi has appealed to the *high court at Embu*.the appeal was heard on 28/9/88.

These pieces are in **muthanthara area** within ***kamarandi sub-location*** .note that former muthanthara was ***a sub-location*** but later changed to kamarandi.the area of (Muthanthara alone) is about 240 square kilometers with a population of about 12000 people present.We have built **two schools** in this area where lour children learn.These are:- ***Muthanthara and Nthigirani primaries*** for more than 40 years. We have as well many other projects like a dispensary, e.t.c.

Following all these incidences our Hon.Minister, we are asking your Hon .Office to take the necessary and quick steps before there occurs ***BLOOD SHED*** in this area. Things are very tense and delicate such that both Tharaka and Mbeere people are living in fear especially them that are at the boarders.

24th FEBB 2003

Honourable Minister yet again we write to inform your office the latest development as pertaining to our land problems that has now lasted for a quarter of a century .We trust this time round things will take a different direction.

During the visitation, of *the Njonjo land commission* to our district in the year 2001 at Siakago, this memorandum was presented to Mr.Njonjo.We believe the issue was taken up by the commission for appropriate action.

Now that we have a new and good government, we are asking the relevant offices to act On this issue that now things are new Sir, we are realized that the former government cared least about the common mwananchi,as the entire Kenya and its citizens are experiencing changes, we too expect the same.

The reason why we decided to approach this problem through your office is because we would not wish to witness a situation such as that which occurred on 3/3/1994 when there almost erupted a tribal cash instigated by the same people who are thirsty of these pieces of land.we are asking the government to nullify both the demarcation and the title deeds that were issued.we have enclosed a copy of copy of a notice issued to evict us from this area.

Yours faithfully,

The nine clans of Muthanthara

NAME	CLAN	TITLE
1. JOHANA KIRIMO KIRERA	NYAAGA	C/MAN
2. KATHOKA MATHENGE	KITHURI	V/C/MAN
3. KIBUI MANGAKU	KAMUTIGE	MEMBER
4. GATAYA MBUGI	GANKINA	TREASURER
5. ZAKARIA M'MWARIA	IGORO	MEMBER
6. MWITHI M. MUKANDA	MURUGURU	MEMBER
7. MATUMO NYAMU	KANJIRU	MEMBER
8. M'BURURIA M'MACHEBE	KANJOGU	MEMBER
9. NYAGA KABUBU	UKUYIU	MEMBER
10. MUSA NJUE		SECRETARY

C.C

1. CHIEF-ISHIARA LOCATION
2. D.O- EVURORI DIVISION
3. D.C – MBEERE DISTRICT
4. COUNCILOR-MBEERE
5. SPECIAL BRANCH-MBEERE
6. HON.MP.SIAKAGO CONSTITUENCY
7. O.C.P.O-MBEERE
8. POLICE SERGENT-ISHIARA
9. SPECIAL BARNCH-ISHIARA

MF3 – MF9

NO	REFERENCE NUMBER	NAME OF REGISTERED PROPRIETOR	AREA
1	EMBU/ KAMARANDI/499	NJERU NJOBANO	26.5HA
2	EMBU/KAMARANDI/518	COUNTY COUNCIL OF EMBU	3.2HA
3	EMBU/KAMARANDI/519	NJERU NJIRU	8.4 HA
4	EMBU/KAMARANDI/520	COUNTY COUNCIL OF EMBU	0.6 HA
5	EMBU/KAMARANDI/527	NJIRU KIURA	9.8 HA
6	EMBU/KAMARANDI/533	DAVID KAUMBUTHU MWANGANGI	4.4 HA
7	EMBU/KAMARANDI/534	NJOMO NJERU	3.4 HA
8	EMBU/KAMARANDI/535	NJERU NJUE	3.2 HA
9	EMBU/KAMARANDI/536	MIKORO MBANGWA	4.8 HA
10	EMBU/KAMARANDI/537	NJONDE NDUIGA	6.0 HA
11	EMBU/KAMARANDI/538	MICHENI E. M'RIRIA	4.0HA
12	EMBU/KAMARANDI/539	NYAGA KIRIMA	2.2 HA
13	EMBU/KAMARANDI/540	BENSON GICHONI KAGAU	4.4 HA
14	EMBU/KAMARANDI/541	PATRICK NGUNGI	5.0 HA
15	EMBU/KAMARANDI/542	MICENI NJUE	5.0 HA
16	EMBU/KAMARANDI/543	NGAI NYAGA	8.0 HA
17	EMBU/KAMARANDI/544	NJUE NJIRU	5.0HA
18	EMBU/KAMARANDI/545	GITHENDU NJIRU	4.0 HA
19	EMBU/KAMARANDI/546	MUTEMI GITWARI	3.8 HA
20	EMBU/KAMARANDI/547	NJUE GICHEKO	1.4 HA
21	EMBU/KAMARANDI/548	MAGU KIBARU	3.4 HA
22	EMBU/KAMARANDI/549	MURANGI GAKINYA	2.4 HA
23	EMBU/KAMARANDI/550	JOSPITER KIURA NJIRU	2.2 HA
24	EMBU/KAMARANDI/551	NJUE NDWIGA	2.4 HA
25	EMBU/KAMARANDI/556	CHARAGU GACIGIWA	36.0 HA
26	EMBU/KAMARANDI/557	FRANCIS ROBERT MWANGI GITURU	10.8 HA
27	EMBU/KAMARANDI/558	NJERU GACHIEGU	23.0 HA
28	EMBU/KAMARANDI/559	NJAGI THAGICA	25.0 HA
29	EMBU/KAMARANDI/560	NYAGA S/O KACHIGU	24.0 HA
30	EMBU/KAMARANDI/561	NJERU MATUMO	36.0HA
31	EMBU/KAMARANDI/562	GEOFREY MWAURA NDAI	12.2HA
32	EMBU/KAMARANDI/578	KIARIE IRERI	1.8 HA
33	EMBU/KAMARANDI/579	JOSEPH IRERI MURUGI	1.7 HA
34	EMBU/KAMARANDI/580	NGAI UTUKU	2.8HA
35	EMBU/KAMARANDI/581		
36	EMBU/KAMARANDI/582	ROSEMARY NJERI WACHIRA	7.0HA
37	EMBU/KAMARANDI/585	JOSEPH NJOROGE NDUNG'U	32.2 HA
38	EMBU/KAMARANDI/586	MOFFART NYAGA KAGAU	25.0 HA
39	EMBU/KAMARANDI/587	THOMAS GATURI GICHIGU	21.0 HA
41	EMBU/KAMARANDI/588	NGONDU KANDAVA	35.5 HA
42	EMBU/KAMARANDI/589	MBAKA MURUAMBURA	23.5 HA
43	EMBU/KAMARANDI/590	AHMEN MOHAMMED OSMAN SHEIKH MOH	6.2 HA
44	EMBU/KAMARANDI/591	NYAGA KANYOTI	9.8 HA

4

45	EMBU/KAMARANDI/592	BENARD MURIITHI MAHU	9.6 HA
46	EMBU/KAMARANDI/593	NYAMU MUTHARA	23.0 HA
47	EMBU/KAMARANDI/594	NYAMU MUTHARA	23.0 HA
48	EMBU/KAMARANDI/596	ELIJAH CIRA NGAHU	38.0 HA
49	EMBU/KAMARANDI/597	NJUE NJIRU	10.6 HA
50	EMBU/KAMARANDI/598	MOFFART NYAGA KAGAU	16.0 HA
51	EMBU KAMARANDI/599	KINYUA KABUTHI	13.4 HA
52	EMBU/KAMARANDI/600	HANNAH MUKAMI KIRUHI	16.0 HA
53	EMBU/KAMARANDI/601	NJERU MUREFU	23.0 HA
54	EMBU/KAMARANDI/602	(1).JEREMIA GACHIGU (2).JOSPHAT GICAGU	21.5HA
55	EMBU/KAMARANDI/603	KIANGA MWANIKI	10.4 HA
56	EMBU/KAMARANDI/604	NJOKA NYAGA	8.8 HA
57	EMBU/KAMARANDI/605	NJUE NJIRU	10.6 HA
58	EMBU/KAMARANDI/606	JONATHAN NJERU NDABAYA	12.6 HA
59	EMBU/KAMARANDI/607	NDUIGA NJAGI	15.0 HA
60	EMBU/KAMARANDI/608	EPHINTUS MAKANYA NJERU	15.0 HA
61	EMBU/KAMARANDI/609	NJOGU NYAGA	12.2 HA
62	EMBU/KAMARANDI/610	SALESIO NDWIGA JOSPHAT (Minor)	5.6 HA
63	EMBU/KAMARANDI/611	EPHANTUS GITHINGU,MURITHI DAVID	4.8 HA
64	EMBU/KAMARANDI/612	COUNTY COUNCIL OF EMBU	12.4 HA
65	EMBU/KAMARANDI/613	GITONGA NGONDU (Minor) Alchd	44.0 HA
66	EMBU/KAMARANDI/614	NYAGA THAGICA	13.6 HA
67	EMBU/KAMARANDI/615	JOSEPH NGACHA KARANI	7.0 HA
68	EMBU/KAMARANDI/616	NGOROI GICEGE	1.9 HA
69	EMBU/KAMARANDI/617	NJUKI KIREMA	5.6 HA
70	EMBU/KAMARANDI/618	STANELY MURIITHI PAUL	6.8 HA
71	EMBU/KAMARANDI/619	NGAI KIRETHIO	9.6 HA
72	EMBU/KAMARANDI/620	ABDULLAMAN KARANJA NGANGA	8.0 HA
73	EMBU/KAMARANDI/621	IRERI GICHUGU	8.8 HA
74	EMBU/KAMARANDI/623	SAMUEL NJERU NGATHO	9.0 HA
75	EMBU/KAMARANDI/624	MUCHIRI NGURUKUBI	9.2 HA
76	EMBU/KAMARANDI/625	RICHMOND MUNYIRI MUGAMBI MUGAMBI	3.6 HA
77	EMBU/KAMARANDI/626	NGOROI THAGICA	8.6 HA
78	EMBU/KAMARANDI/627	MUCHIGATE KABUTHI	8.2 HA
79	EMBU/KAMARANDI/628	FRANCIS MBURU NJERU	15.0 HA
80	EMBU/KAMARANDI/629	MUTINDI NJUNDU	3.6 HA
81	EMBU/KAMARANDI/630	KAGETA NGURUKUBI	2.8 HA
82	EMBU/KAMARANDI/631	VENUS DISTRIBUTORS LTD	29.0 HA
83	EMBU/KAMARANDI/633	UTUKU KITHINJI	9.6 HA
84	EMBU/KAMARANDI/634	GAKABU NJAGI	10.0 HA
85	EMBU/KAMARANDI/635	MWANIKI KAGETHA	6.8 HA
86	EMBU/KAMARANDI/636	NJUE NJERU	9.0HA
87	EMBU/KAMARANDI/637	NICHOLUS NGOCHI NJERU	6.8 HA
88	EMBU/KAMARANDI/638	UTUKU KITHINJI	5.8 HA

89	EMBU/KAMARANDI/639	KIONANO NJERU(MINOR)	5.6HA
90	EMBU/KAKAMARANDI/641	NYAGA NJERU	10.6HA
91	EMBU/KAMARANDI/642	NDWIGA NGARI	8.6 HA
92	EMBU/KAMARANDI/643	NJAGI NGONGI	5.4 HA
93	EMBU/KAMARANDI/644	NJAGI NDEGERIE	10.4 HA
94	EMBU/KAMARANDI/645	NJIRU NJEGE (Minor)	4.6 HA
95	EMBU KAMARANDI/646	STANELY MURRITHI PAUL	7.8 HA
96	EMBU/KAMARANDI/647	EARNEST MUNYI MACHARIA	7.4 HA
97	EMBU/KAMARANDI/648	JOSEPH NTHIGA M'VUNGU	4.6 HA
98	EMBU/KAMARANDI/649	MWANIKI NJUE	3.0 HA
99	EMBU/KAMARANDI/650	MATI NJUE	7.2HA
100	EMBU/KAMARANDI/651	NJOKA NGARI	4.8 HA
101	EMBU/KAMARANDI/652	COUNTY COUNCIL OF EMBU	1.0 HA
102	EMBU/KAMARANDI/653	NYANAKE GAKABU (Minor)	1.0 HA
103	EMBU/KAMARANDI/654	ABDULLAMAN KARANJA NGANGA	28.0 HA
104	EMBU/KAMARANDI/655	NICHOLUS NGOCHI NJERU	8.2 HA
105	EMBU/KAMARANDI/656	JOSEPH NGACHA KARANI	23.0 HA
106	EMBU/KAMARANDI/657	PIUS NJIRU KARIUKI	8.0 HA
107	EMBU/KAMARANDI/658	DAVID NJERU THABARI	45.5 HA
108	EMBU/KAMARANDI/659	VENUS DISTRIBUTORS LTD	70.5 HA
109	EMBU/KAMARANDI/660	JOSPETER NJUKI NJERU	10.54HA
110	EMBU/KAMARANDI/661	DIOCESES OF EMBU TRUSTEES REGISTERS	40.0 HA
111	EMBU/KAMARANDI/662	GEORGE THIONGO MATHU	28.5 HA
112	EMBU/KAMARANDI/663	DANCAN NAMU THABARI	17.5 HA
113	EMBU/KAMARANDI/664	NJIRU MWERERA	13.8 HA
114	EMBU/KAMARANDI/665	JOSPHAT NDWIGA NJERU	12.6 HA
115	EMBU/KAMARANDI/667	GICHONI MBURACHI	0.7HA
116	EMBU/KAMARANDI/669	MBANDI MWERERA	0.9 HA
117	EMBU/KAMARANDI/670	ISAIAH TITO NYAGA	67.0HA
118	EMBU/KAMARANDI/670	ISAIAH TITO NYAGA	67.0 HA
119	EMBU/KAMARANDI/671	JOSEPH NGACHA KARANI	25.5HA
120	EMBU/KAMARANDI/672	COUNTY COUNCIL OF EMBU	3.8 HA
121	EMBU/KAMARANDI/673	NJIRU NYAGA (Minor)	3.0 HA
122	EMBU/KAMARANDI/674	1)NYAGA KIBORIO 2)NJERU MUGEKI 3)NYAGA RIGARIO	22.5 HA
123	EMBU/KAMARANDI/675	MUKIKI FARMERS COMPANY LTD	44.0 HA
124	EMBU/KAMARANDI/676	GACHAGO MWANGI	30.0 HA
125	EMBU/KAMARANDI/677	IRERI NYAGA	41.5 HA

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126	EMBU/KAMARANDI/678	MICHAEL NJAGI C/O KATHIANYU	92.0 HA
127	EMBU/KAMARANDI/679	STANLEY MURIITHI PAUL	27.0 HA
128	EMBU/KAMARANDI/680	KITHUKA NTHIGA	0.8 HA
129	EMBU/KAMARANDI/681	KITHAKA MUGO,NJUE MUGO	73.0 HA
130	EMBU/KAMARANDI/682	STANLEY MURIITHI PAUL	54.5 HA
131	EMBU/KAMARANDI/682	STANLEY MURIITHI PAUL	54.5HA
132	EMBU/KAMARANDI/683	DAVID WAIGANJO KIGWE	62.5 HA
133	EMBU/KAMARANDI/683	DAVID WAINGAJO KIGWE	62.5HA
134	EMBU/KAMARANDI/685	EPHENTUS MUGO MBURIA	21.0 HA
135	EMBU/KAMARANDI/686	NYAGA M'NDUGO	22.0 HA
136	EMBU/KAMARANDI/687	IRERI NJUE	13.8HA
137	EMBU/KAMARANDI/688	COUNTY COUNCIL OF EMBU	5.6 HA
138	EMBU/KAMARANDI/689	NJERU M'NGUGI	10.0 HA
139	EMBU/KAMARANDI/690	MAGUU MUTIE	10.4HA

140	EMBU/KAMARANDI/691	NJERU NJIRU(MINOR)	23.0 HA
141	EMBU/KAMARANDI/692	JOSEPH NGACHA KARANI	29.0 HA
142	EMBU/KAMARANDI/693	IRERI NJERU (Minor)	26.0 HA
143	EMBU/KAMARANDI/694	NJERU MUNDUWA MUKUNDI	6.2 HA
144	EMBU/KAMARANDI/695	MAGU MUNA	4.0 HA
145	EMBU/KAMARANDI/696	NJERU MAKONGE	5.0 HA
146	EMBU/KAMARANDI/697	NTHIGA NJUE	5.6 HA
147	EMBU/KAMARANDI/698	RUNJI KANDIA	3.0 HA
148	EMBU/KAMARANDI/699	NYAGA MUBARI	3.0 HA
149	EMBU/KAMARANDI/700	KIBUGI MUBARI	2.4 HA
150	EMBU/KAMARANDI/701	NJUE DNAGANIE	1.5 HA
151	EMBU/KAMARANDI/702	GAKUBI NJURI	1.9 HA
152	EMBU/KAMARANDI/703	NJERU MBOGO	2.4 HA
153	EMBU/KAMARANDI/704	FILEX MUGENDI KAMWEA	3.6 HA
154	EMBU/KAMARANDI/705	NTHIGA MUNA	3.8 HA
155	EMBU/KAMARANDI/706	NDWIGA MUTHANGE	3.8 HA
156	EMBU/KAMARANDI/707	RUTHIGA NJUE	5.8 HA
157	EMBU/KAMARANDI/708	NGARI METHIRANO	2.4 HA
158	EMBU/KAMARANDI/709	NJERU NJUE	5.8 HA
159	EMBU/KAMARANDI/710	NGUNGI MWANGA	9.6 HA
160	EMBU/KAMARANDI/711	NJUE MUGONO	4.4 HA
161	EMBU/KAMARANDI/712	NJERU KITHANGA	8.6 HA
162	EMBU/KAMARANDI/713	NJIRU NJAGI	11.0 HA
163	EMBU/KAMARANDI/714	MURANGI GAKINYA	9.2 HA
164	EMBU/KAMARANDI/715	IRERI NJUE	11.2 HA
165	EMBU/KAMARANDI/716	NDUATI NJUERI	8.2 HA
166	EMBU/KAMARANDI/717	KIBURI KAGUMA	6.8 HA
167	EMBU/KAMARANDI/718	KANYUA WAWERU (Minor)	6.4 HA
168	EMBU/KAMARANDI/719	ALFRED NJERU BENARD MBONGO	10.8 HA

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169	EMBU/KAMARANDI/720	ALBINUS NDUMA NDERI	5.8 HA
170	EMBU/KAMARANDI/721	MBOGO NJERU(Minor)	6.4 HA
171	EMBU/KAMARANDI/722	NJIRU NGOMBERI	7.8 HA
172	EMBU/KAMARANDI/723	CHARLES NJERU NJUIRI	7.4 HA
173	EMBU/KAMARANDI/724	EVANS NJERU MURUARERI	6.0HA
174	EMBU/KAMARANDI/726	MWANGI MURUARERI	6.4 HA
175	EMBU/KAMARANDI/727	NTHIGA NGENDU	3.0 HA
176	EMBU/KAMARANDI/728	BORNFACE GEORGE NGUNDI GAITAH	5.2 HA
177	EMBU/KAMARANDI/729	IRERI NJAGI	4.2 HA
178	EMBU/KAMARANDI/730	LAWRENCE NJERU N. NGINYIRWA	7.6 HA
179	EMBU/KAMARANDI/731	NJIRU MUNDUANGOTHO	9.8 HA
180	EMBU/KAMARANDI/732	NJAGI KITHIMO	8.8 HA
181	MBU/KAMARANDI/733	ALEXENDER NYAGA SILUS(MINOR)	10.0HA
182	EMBU/KAMARANDI/734	ADOLF KAVUNGURA RURI	3.2 HA
183	EMBU/KAMARANDI/735	COUNTY COUNCIL OF EMBU	7.4 HA
184	EMBU/KAMARANDI/736	SILUS NJIRU MUCHELE	15.0 HA
185.	EMBU/KAMARANDI/737	LUCY WANGARI GITHAIGA	7.0 HA
186	EMBU/KAMARANDI/738	NJIRU MATHIGA	7.0 HA

187	EMBU/KAMARANDI/739	DAVID NJIRU MUTUNGA	7.2 HA
188	EMBU/KAMARANDI/740	NYAGA NDAMUKI	6.2 HA
189	EMBU/KAMARANDI/741	MUTURI MUGAI	9.0 HA
190	EMBU/KAMARANDI/742	DAVID NJIRU MBOGO	7.6 HA
191	EMBU/KAMARANDI/743	FESTO GINJI MBOGO	8.0 HA
192	EMBU/KAMARANDI/744	MBITI MACHAMBA	6.6 HA
193	EMBU/KAMARANDI/745	KARERA MUCHERE	6.6 HA
194	EMBU/KAMARANDI/746	GICHANJO MWANGIRE	17.5HA
195	EMBU/KAMARANDI/747	GITONGA MUKANDI	6.0HA
196	EMBU/KAMARANDI/748	GITONGA MUKANDI	9.2HA
197	EMBU/KAMARANDI/749	NDWIGA KITHINJI	6.0HA
198	EMBU/KAMARANDI/775	MWANGANGI NDWIGA(minor)	7.0 HA
199	EMBU/KAMARANDI/776	JOSEPH KIHARA KARIUKI	19.5 HA
200	EMBU/KAMARANDI/777	JOHN NDUNGU KARIUKI	24.0 HA
201	EMBU/KAMARANDI/779		
202	EMBU/KAMARANDI/829	NJERU MUKANDI NDAVA	37.0HA
203	EMMBU/KAMRANDI/830	MWANIKI NJIRU	1.5HA
204	EMBU/KAMARNDI/831	DONIUIS NGOCI	1.9HA
205	EMBU/KAMARANDI/832	FRANCIS NJERU MARUMBU	2.4HA
206	EMBU/KAMARANDI/833	NTHIGA WANGOMBE	1.5HA
207	EMBU/KAMARANDI/834	ALEXANDER MWANIKI NJERU	2.8HA
208	EMBU/KAMARANDI/855	NTHIGA NJUE	4.6HA
209	EMBU/KAMARANDI/856	(1).NJERU MUKANDI (2).GICHANJO MWANGIRE	8.6HA

		(3).MUTURI MUGAII	
210	EMBU/KAMARANDI/859	NG'OMBERI KAGUMA	6.2HA
211	EMBU/KAMARANDI/866	KARUGU KARUGERIA	8.2 HA
212	EMBU/KAMARANDI/867	KATHURE KARABI MWENDWA	9.2 HA
213	EMBU/KAMARANDI/868	MUTUA GATIMO	9.2 HA
214	EMBU/KAMARANDI/869	CHIENGE MWANGANGI	7.2 HA
215	EMBU/KAMARANDI/870	KITHURE MUGAO	7.6 HA
216	EMBU/KAMARANDI/871	NTHIOMI NGAMIA	1.5HA
217	EMBU/KAMARANDI/872	NJERU NJAGI MAGICHI	2.2HA
218	EMBU/KAMARANDI/878	EMBU COUNTY COUNCIL	2.8HA
219	EMBU/KAMARANDI/886	LAMECHI NJEGE MAGICHI	7.2 HA
220	EMBU/KAMARANDI/887	NGARI MUTHEE	3.8 HA
221	EMBU/KAMARANDI/888	DANIEL NJAGI MAGICHI	5.0HA
222	EMBU/KAMARANDI/889	KIURA NGARU	3.4 HA
223	EMBU/KAMARANDI/890	NYAGA NTHIGA	1.9 HA
224	EMBU/KAMARANDI/891	DAVID KAUMBUTHU MWANGANGI	1.9 HA
225	EMBU/KAMARANDI/893	BENSON IGUNA MUNA	10.8HA
226	EMBU/KAMARANDI/894	NYAGA MUTHAGE	7.6HA
227	EMBU/KAMARANDI/895	NGUNGI MUBARI	9.2HA
228	EMBU/KAMARANDI/896	MUCIRI NTHAGAINE	10.0HA
229	EMBU/KAMARANDI/897	MUNYI MACHARIA	16.0HA
230	EMBU/KAMARANDI/898	BENSON IGUNA MUNA	10.8 HA
231	EMBU/KAMARANDI/899	NJUE MUBARI	12.4 HA
232	EMBU/KAMARANDI/908	GITITI METHIRANO	3.6 HA
233	EMBU/KAMARANDI/913	WAWERU MWINYI M'NGUNGI	7.8 HA
234	EMBU/KAMARANDI/914	NGOMBERI KAGUMA	33.5 HA
235	EMBU/KAMARANDI/915	SAMUEL MBURU NJUGUNA	7.6 HA
236	EMBU/KAMARANDI/916	NJUE NJIRU	30.6 HA
237	EMBU/KAMARANDI/917	NJERU GACIRIRIA	12.6 HA
238	EMBU/KAMARANDI/918	MACHAKI KAVUNGURA	15.2 HA
239	EMBU/KAMARANDI/919	REUBEN NJERU NJIRU	32.5 HA
240	EMBU/KAMARANDI/920	BENARD MBOGO NJIRU	15.5 HA
241	EMBU/KAMARANDI/921		
242	EMBU/KAMARANDI/922	MZEE MUNYAMBU	12.2 HA
243	EMBU/KAMARANDI/923	NDWIGA NYAGA	6.0 HA
244	EMBU/KAMARANDI/924	NZOKA MURAGO SHIMBA	14.0HA
245	EMBU/KAMARANDI/929	NJERU MBOGO	8.0 HA
246	EMBU/KAMARANDI/930	NJIRU KIBARI	4.4 HA
247	EMBU/KAMARANDI/931	NGUTEERE NJERU	6.0HA
248	EMBU/KAMARANDI/932	NYAGA NJIRU	1.1HA
249	EMBU/KAMARANDI/936	SEVERIO RURI NJUIRI	11.2 HA
250	EMBU/KAMARANDI/939	DAVID MWARIRI S/O MURORU NJUGUNA	4.6 HA
251	EMBU/KAMARANDI/946	PAUL KIBE KIMANI	12.0 HA
252	EMBU/KAMARANDI/953	NJIRU NJAGI MAGICHI	2.6 HA

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253	EMBU/KAMARANDI/954	LAMECHI NJEGE	1.1 HA
254	EMBU/KAMARANDI/959	JOSEPH MUTHUI MURAGE	3.8 HA
255	EMBU/KAMARANDI/962	STANELY MURITHI PAUL	10.0 HA
256	EMBU/KAMARANDI/963	NAOMI NGAMIA	39.5 HA
257	EMBU/KAMARANDI/964	PETER NJUGUNA MURAGE	13.8 HA
258	EMBU/KAMARANDI/965	DAVID MWARIRI S/O MUHORO NJUGUNA	12.0 HA
259	EMBU/KAMARANDI/966	EMBU COUNTY COUNCIL	1.5 HA
260	EMBU/KAMARANDI/969	CHRISTOPHER MWANGI MACHARIA	24.0 HA
261	EMBU/KAMARANDI/970	KAGURI WAMAIRWE	24.0 HA
262	EMBU/KAMARANDI/971	FRANCIS ROBERT MWANGI GITURU	18.0 HA
263	EMBU/KAMARANDI/979	JOHN .E. NYAGA	0.7 HA
264	EMBU/KAMARANDI/980	RICHARD NYAGA THIRIKU	0.6 HA
265	EMBU/KAMARANDI/981	TITUS MUCHOKI MUCHINA	1.9 HA
266	EMBU/KAMARANDI/982	EUTYCHUS MURIITHI NDERI	45.0 HA
267	EMBU/KAMARANDI/983	PETER ISAAC KIGETU MUNYINYI	11.4 HA
268	EMBU/KAMARANDI/984	PETER MAKUNO KINORU	14.9 HA
269	EMBU/KAMARANDI/985	JAMES KIBE KIHARA	20.0 HA
270	EMBU/KAMARANDI/989	GEORGE MBUGUA DANIEL KAGO	11.6 HA
271	EMBU/KAMARANDI/990	GEORGE MBUGUA DAVID KAGO	11.6 HA
272	EMBU/KAMARANDI/991	CLEMENT KAMAU	10.6 HA
273	EMBU/KAMARANDI/997	JOHANNA IRERI SIMON	18.5HA
274	EMBU/KAMARANDI/998	JOSEPH GACHECHE KAMAU	20.25HA
275	EMBU/KAMARANDI/999	DIOCESES OF EMBU TRUSTEES REGISTERS	20.25HA
276	EMBU/KAMARANDI/1011	MORRIS G.NJAGE	20.23HA
277	EMBU/KAMARANDI/1012	MORRIS GUCHURA NJAGE	20.23HA
278	EMBU/KAMARANDI/1013	MUKIKI FARMERS COMPANY L.T.D	20.23HA
279	EMBU/KAMARANDI/1014		
280	EMBU/KAMARANDI/1019	ELPHAS JACOB MBUREA	4.0 HA
281	EMBU/KAMARANDI/1020	ELPHAS JACOB MBUREA	3.92 HA
282	EMBU/KAMARANDI/1021	ELPHAS JACOB MBUREA	2.07 HA
283	EMBU/KAMARANDI/1022	ELPHAS JACOB MBUREA	2.03 HA
284	EMBU/KAMARANDI/1023	ELPHAS JACOB MBUREA	0.93 HA
285	EMBU/KAMARANDI/1024	ELPHAS JACOB MBUREA	1.01 HA
286	EMBU/KAMARANDI/1025	ELPHAS JACOB MBUREA	0.97 HA
287	EMBU/KAMARANDI/1026	ELPHAS JACOB MBUREA	0.98 HA
288	EMBU/KAMARANDI/1027	ELPHAS JACOB MBUREA	11.0 HA
289	EMBU/KAMARANDI/1046	NIKASIO NYAGA NGENDU	20.47 HA
290	EMBU/KAMARANDI/1047	JOHANA IRERI SIMON	81.0 HA
291	EMBU/KAMARANDI/1048	JOHANA IRERI SIMON	14.20 HA
292	EMBU/KAMARANDI/1049	MUKIKI FARMERS COMPANY LTD	20.0 HA
293	EMBU/KAMARANDI/1050	JOHANA IRERI SIMON	3.70 HA

MC1 (1)

J. Kiriro,

MUTHANTHARA AREA,
KAMARANDI SUB-LOCATION,
EVURORE LOCATION,
P. O. ISHIARA,
E M B U.

16th FEBRUARY, 1980.

THE DISTRICT COMMISSIONER,
EMBU DISTRICT,
P. O. BOX 3,
E M B U.

Dear Sir,

RE: LAND PROBLEMS IN MUTHANTHARA AREA

Hon. D.C. we write to inform you of the land problems we are facing in this area. We, being Tharaka people have been living in this area for more than 75 years, paying taxes and getting the identity cards in Embu District.

Our land problems began when the land demarcations started in this sub-location in 1972. The then Chief Mr. Maguru Mutie became discriminate and tribalistic against us (All Tharaka people). He did not tell us about the general meetings for discussing surveying of the land nor choose a person from our tribe to be a member of the land Committee. They were all from his tribe Mbeere. We only witnessed people coming to this area led by the Chief and a few askaris. The work of land demarcation was completely new to us. Whenever we asked him what they were doing he claimed that they were on government missions. But, when we heard through rumours that it was land demarcation we kept on going to him to know the truth of the matter. He then proposed a meeting on 21/8/75 at which he ordered us to move to Meru District in nine (9) days time, on the grounds that was where our great grandparents came from.

On 31/8/75 he came to our area fully armed with guns together with askaris and local people from his tribe and beat us badly. The most victimised people went and reported at Runyenjes Police Station on 2/9/75.

On 22/1/80 the District Land Adjudication Officer came to Ishiara to listen to our complaints. He promised another meeting to be on 6/2/80 and asked us to submit a list of all without land pieces. A list of 621 men was given to him. But he later complained that we were late in forwarding the claims.

On 17/3/80 the D.O. of Siakago Division came to Muthanthara to hear our claims. After heated discussions, the D.O. said that the problem was beyond his powers, but promised to bring the D.C. to try and solve it for us. But his promise never proved itself true.

...../2.

Hon. D.C. we are now forwarding these claims, to you so that you can solve them for us. We don't know where we are told to go since this area is our rightful place and Embu is our District and not Meru.

Hon. D.C. we are writing to you seeking for help from you while trying to keep peace and order so that there should be no bloodshed in this area."

"The above is our first letter of complaints to the D.C. Embu, written on the date shown".

After receiving the letter, the D.C, sent the D.O. 1 and D.O. Siakago to Muthanthara on 8/6/85 who had this to say: "LAND DISPUTES SHOULD BE STOPPED AND LEFT IN THE HANDS OF THE GOVERNMENT. YOU THARAKA AND MEERE PEOPLE SHOULD LIVE IN HARMONE. LET NOT ANYONE INTRUDE INTO THE OTHER'S TERRITORY".

Since then, Tharaka people have kept receiving threats, notices and even charges in the law courts. On 10/2/84 the current Chief Evurore Location came to Muthanthara for a meeting he had convened and he had this say: "THE ARK IS ALREADY FULL, AND IT'S IMPOSSIBLE TO RE-OPEN IT (Thabina nimbicuru na ndingihingurika)".

On 10/7/85 the same Chief - Evurore Location sent calling notices to the following people to report to his office at Ishiara on 16/7/85. When they reported there, he informed them they had no land parcels in the Location adjacence they should move." The persons who were concerned are:- (i) Severino Nyaga Njagi (ii) Gakuri Njagi Njecu (iii) Matumo Njagi Njecu (IV) Mathempe Njagi Njecu (V) Ndagira Kiriambogo (Vi) Samuel Muthee Njagi (Vii) Kananpiu Combogo. Attached is a sample photostat of the calling notices that the Chief sent.

Some of the land cases that have arised so far are as follows:-

(i) Civil case NO. 113/1985 of Gichoni Mburachi verses Samuel Muthee of land parcel Embu/Kanarandi/667. (ii) Civil case NO 83/1986 of Mbiti Mashamba verses Tumbo Njage of land parcel Embu/Kamarandi/-744,(iii) Civil case NO 87/1986 between Lamek Njege and James Gakuvi of land parcel Embu/Kamarandi/954.

Notices received so far are as follows: (Mr. Ephantus Githingu Mureithi David sent a notice to Mr. Daniel Ngochi M'Kimake asking him (M'Kimake) to move from land parcel Embu/Kamarandi/611.(ii) From Isaiah Tito Nyaga Kagoche to: Kiriambogo Njecu, M'Kajiu Njecu, Kibui M'Ruguri, and Matumo Njoro to move away from land parcel Embd/Kamarandi/670 dated 5/4/84.

At present civil case NO 87/1986 between Lamek Njege and James Gakuri of land parcel Embu/Kanarandi/954 is in process. The case has taken about four years duration and cases are money consuming.

...../3.

NIE(1)

KIMENYITHIA – KIMENYITHIA

A THARAKA ONTHE ARIA MATWIRE KAMARANDI NI TURAMUMENYITHIA UU, TWI ANOGU NI GWIKARANIA NAMWI, KWOGUO TUGIKINYAGIA MWERI WA KATHATU 31/3/ 2010 MUKORUO MUCOKETE NTHI YENYU KURIA MWAUMIRE, TONDU NITWICI AMWE ENYU MAUMITE MBUNJA NA KATHANDENI THIINI WA THARAKA DISTRICT. KAMARANDI IRIA IRI MBEERE NORTH DISTRICT IRI NA ENE.

MENYAI ATI NITWIVITITE NA KAANA KA MUNDU WA IRUA ATI AKORUO UNDU UYU NDUGAKORUO URI MWIKIKU NGINYAGIA KAVINDA KAU"YOU SHALL FACE THE SWORD" WE NAWE M.P. WA SIAKAGO KIVUTI WA NGUNGI WA NIKONDEMU TIGA KWENDIA NTHI YA A MBEERE A KAMARANDI UKITHAITHANIRA NIGUO UKONA 'KURA" UI UI-UI. KAWI M.P WA KUVECANA MIGUNDA YA ENE NA NJIRA YA WARA.

KIVUTI WA NGUGI THARAKA INO URABA MIGUNDA NIGUO UMAKENIE RIGANIRWA BORORO TONDU "THARAKA MUST GO".

ENE MIGUNDA KARINGA

~~MBT~~ MC1(2)

Residents of Muthanthara,
Kamarandi Sub location,
Ishiara Location,
Evurore Division.
Date .....

The District Commissioner,
Mbeere District,
P.O. Box 197,
SIAKAGO.

Dear Sir,

RE : CLANS' ELDERS MEETING ON 18/II/96.

Further to our memorandam dated .....

We, the elders of nine clans of Muthanthara, kindly request your good Office, when it comes to D.D.C. sittings, to considder us as part our subjects in the new Mbeere District.

We, the people of Tharaka who live in Mbeere District(the old sub) Evurore Division, Ishiara location and Kamarandi sublocation have also continued to be treated as foreigners in their own land. Land wrangle in the Muthanthara area has ranged on from 1973 up to date. The District administration has not ever taken it serious to bring about a permanent and lasting resolution concerning this problem.

The latest incindent is that of 14/II/96, where by some Mbeere trib men invaded a shamba belonging to a Tharaka man and uprooted Dolicros and at the same, planting seeds at the same shamba. When the [illegible] man tried to resist, police officers from Ishiara were called in and arrested the Tharaka man. Later the man was released under circumstance not totally clear.

Sir, for this reason, we feel the only possible permanent to this problem is the creation of a new Sub location known as Muthanthara, from the large Kamarandi sublocation.

The total population of the proposed Muthanthara sub location one thousand two hundred grown up men and the addition of wo children, makes the area to have a number of residents which [illegible] of the new sub location of Muthanthara.

[illegible] for your tender heart concerning this issue.

Faithfully,

Hon. D.C. we are now forwarding these claims, to you so that you can solve them for us. We don't know where we are told to go since this area is our rightful place and Embu is our District and not Meru.

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Some of the land cases that have arised so far are as follows:-

(i) Civil case NO. 113/1985 of Gichoni Mburachi verses Samuel Muthee of land parcel Embu/Kanarandi/667. (ii) Civil case NO 83/19 of Mbiti Mashamba verses Tumbo Njage of land parcel Embu/Kanarandi 744,(iii). Civil case NO 87/1986 between Lamek Njege and James Gakuvi of land parcel Embu/Kanarandi/954.

Notices received so far are as follows: (Mr. Ephantus Githingu Mureithi David sent a notice to Mr. Daniel Ngochi M'Kinake asking him (M'Kinake) to move from land parcel Embu/Kanarandi/611.(ii) Isaiah Tito Nyaga Kagoche to: Kiriambogo Njeeu, M'Kajiu Njeeu, Kibui M'Ruguri, and Matumo Njoro to move away from land parcel Embd/Kanarandi/670 dated 5/4/84.

At present civil case NO 87/1986 between Lamek Njege and James Gakuri of land parcel Embu/Kanarandi/954 is in process. The case taken about four years duration and cases are money consuming.

.....5.

..On 7/6/88 the D.O. Siakago visited the parcel of land in dispu to see for himself what is the real problem. After he (the D.O.) and some two mbeere elders visited the place accompanied by the Chief and the Assistant Chief Kamarandi, he went and awarded Lanek Njege the suit to be paid KSh. 4,000/= as compensation of t trees he (Njege) had claimed were felled on the piece of land. Since the awarding was unfair Mr. James Gakuri has appealed to th high court at Embu. The appeal will be heard on 28/9/88.

These pieces of land are in Muthenthara area within Kamarandi Sub-location. Note that formerly Muthanthara was a sub-location but later changed to Kamarandi. The area of (Muthanthara alone) about 240 sq km with a population of about 1,200 people at presen We have built two schools in this areas where our children learn. These are:- Muthanthara and Nthigirani Primaries.

Following all these incidents Mr. D.C., we are asking your Hon Office to take the necessary and quick steps before there occurs BLOODSHED in this area. Things are very tense and delicate such that both Tharaka and Mbeere people are living in fear espocially then that are at the border. Thank you sir,

Yours faithfully (The nine clans of Muthanthara

1.Mr. Kanampiu Chombocho - Kanjiru
2.M'Makembo Mitiambo - Ganking
3.M'Bururia M'Macebe - Kanjogu
4.MwIthi M'Mukanda - Muruguru
5.Johana Kirimo Kirera - Nyaaga
6.Kibui Mangaku - Kanurige
7.Gacilita Manyaki - Igoro
8.M'Materi Kibiro - Kithurd
9.Njeru Mumugu - Ukujiu.

COPIESTO;-

The Provincial Commissioner,
Eastern Province,
P.O. Box 455,
E M B U.

The District Commissioner,
Embu District,
P.O. Box 3,
E M B U.

C.I.D. Officer,
Eastern Province,
E M B U.

Special Branch Officer,
Eastern Province,
E M B U.

HON. M.P. Siakago.

Police Inspector - Runyenjes.

NIC1 (3)

MUTHANTHARA AREA,
KAMARANDI SUB-LOCATION
ISHIARA LOCATION
P.O ISHIARA

26TH SEPTEMBER,1992.

THE DISTRICT COMMISSIONER,
EMBU DISTRICT
P.O BOX 8,
EMBU.

Dear Sir,

RE:LAND PROBLEMS IN MUTHANTHARA AREA.

HON.D.C,We once again inform you that following our letter dated 16th February 1980,We write to your office informing you the following;-

(1)That after the visit of D.O 1 to Muthanthara on 8th June 1985 and asking the people of Mbere and Tharaka to live in harmony,the Mbere people have continued to sell out land parcels following illegal procedures in Muthanthara area.We,Tharaka people,believe that the processes of Land selling are worked out by the land Board in the Division,which also involves your administration.The Land Board has decided never to mention the name of Muthanthara in their processes in order to cover up their dealings.Instead they us the name of Kamarandi.

Some of the land parcels affected are;-

(i)Embu/Kamarandi/1032,(ii)Embu/Kamarandi/667,(iii)Embu/Kamarandi, 744(iv)Embu/Kamarandi/670(v)Embu/Kamarandi/954.All these parce are in Muthanthara area.

The Mbere people have also continued to issue notices to Tharaka people occupying these pieces of Land to quit them.

(ii)Hon.D.C,the elders being aware of what is happening in Sial Division,request your office to treat their case more seriously t time.

Since the former Evurore Location has been split into two loca ons i.e Ishiara and Kanyuambora,and that Kamarandi Sub-location i about be split into two Sub-Locations,the elders have realised that just as the land was demarcated secretly,the Locational and Sub-locational leaders are likely to create a new Sub-location se tly.The elders therefore,ask your office to return their former S location-MUTHANTHARA whose boundery is as follows;-From Thuci Gan ma.....Kaiga-ga-Mpuria.....Karia.....Gacakambi... Mutoro...wa....Kianthenge.....Mwarange....wa...Kirimo.Kigukumo Kathanje.....Irira(Thagara).On the other side it borders River Th River Mutonga and River Tana.

Attached please are testimonial documents.

Yours faithfully,

(The nine clans of Muthanthara)

(1)Mr. Kanambiu Comboco Sign. Kanambiu Comboco ..... Kanjiru
(2)Mr. M'Makembo Mitambo " M'Makembo Mitambo ..... Gankina
(3)Mr. M'Bururia M'Macebe " ..... M'Bururia ..... Kanjogu
(4)Mr. Mwithi M'Mukanda " Mwithi ..... Murunguru
(5)Mr. Johana K.Kirera " ..... Nyaaga
(6)Mr. Kibui Mangaku " " ..... Kibui Mangaku ..... Kamurige
(7)Mr. Gaciita Manyaki " " GACIITA MANYAKI ..... Igoro
(8)Mr. M'Materi Kibiro " " M'Materi Kibiro ..... Kithuri
(9)Mr. Njeru Murungu " " NJERU MURUNGU ..... Ukunjiu

cc

1)The Provincial Commissioner,
Eastern Province
P.O BOX 455,
EMBU.

2)District Commissioner
Embu District
P.O BOX 3,
EMBU.

3)The Hon M.P
Siakago Contituency

4)C.I.D Officer
Eastern Province Embu.

5)Special Branch Officer
Eastern Province-Embu.

6)Police Inspector
Runyenjes P.S

7)Concillor
Ishiara Location.

8)Chief-Ishiara Location

9)Ass-Chief-Kamarandi S/Location.

Huron Muricho Juniar Utuku

ADVOCATES
AND COMMISSIONER FOR OATHS

H.M.J. UTUKU LL.B. (DAR.)

Mama Ngina Street
P.O. Box 302
Telephone [illegible]
EMBU.

Your Ref: .....

Our Ref: .....

Date ...14th Sept.

REBBECA KABURI,
P.O. BOX 33,
I S H I A R A.

Dear Madam,

RE: PARCEL OF LAND NO. EMBU/KAMARANDI/1032
NDUIGA MUCHIRI KAGUNDA

Under instructions from out above named client, we write to you as follows:-

That you have been illegally cultivating part of our client's above referenced parcel of land.

That our client has always requested you to stop cultivating the said land but you have totally refused and or ignored.

TAKE NOTICE that unless you stop cultivating the said land immediately upon receiving this letter, we shall institute Legal Proceedings against you in the Court of Law holding you liable for all costs incurred thereby.

FURTHER TAKE NOTICE that this shall be done without any and or further reference to you.

Yours faithfully,

H.M.J. UTUKU ADVOCATE

CC. NDUIGA MUCHIRI GATANDI,
P.O. BOX 56,
I S H I A R A.

C/o KOGARI [illegible]
P.O Box 33
ISHIARA – EMBU
3rd October 1992

[illegible] STEPHE KAIN

NOTICE TO ALL THOSE WHO ARE BUILDING ILLEGALLY MUTHANTHARA AREA IN KAMARANDI SUB-LOCATION ISHIARA – EMBU

I Mrs Dibora Gilongo Ngondu the owner of [illegible] you are [illegible] building and [illegible] illegally gives you a notice to leave the land [illegible] your belonging within a month.

I as well notify you to stop giving [illegible] contracts of carrying sand, stones and [illegible] by starting from today 3rd of October 1992.

I don't mind who permitted you to be [illegible] my land without my notice but truth reveal that you quit from the land. You have [illegible] stone [illegible] of [illegible] in it. Some are [illegible] to withstand your bad action [illegible] and so [illegible] to acknowledge with the notice. Serious measures will be taken against you.

Yours faithfully,
Dibora

C.C

Chief Ishiara location
District Officer Siakago
Land Registral Embu

REPUBLIC OF KENYA

R.L. 27

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/672 SEARCH NO. 627/10/08

On the 30TH day of OCTOBER, 2008 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.) (RESERVED FOR KERERI PRESBYTARIA CHURCH OF EAST AFRICA)

Nature of title ABSOLUTE

Approximate area THREE DECIMAL EIGHT HECTARES (3.8Hc.)

PART B—Proprietorship Section

Name and address of proprietor:

COUNTY COUNCIL OF EMBU

Inhibitions, cautions and restrictions—

PART C—Encumbrances Section (leases, charges, etc.)

The following applications are pending:

The certified copies requested are attached.

The fees now payable are Sh. 150; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 31/10/2008

Land Registrar

*Delete if not applicable.

To: The Land Registrar,

Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE No. EMBU/KAMARANDI/533 SEARCH No. 263/10/08

On the 9th day of OCTOBER, 2008 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area 4.4 (HA)

PART B—Proprietorship Section

Name and address of proprietor:

DAVID KAUMBUTHU MWANGANGI

TITLE DEED ISSUED

Inhibitions, cautions and restrictions—

NILL

PART C—Encumbrances Section (leases, charges, etc.)

NIL

The following applications are pending:

NIL

The certified copies requested are attached.

The fees now payable are Sh. 100/-; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 9/10/ 2008

Land Registrar

*Delete if not applicable.

To: The Land Registrar, Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

.....
Signature of Applicant or his Advocate

GPK

REPUBLIC OF KENYA

R.L. 27

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE No. EMBU/KAMARANDI/718 SEARCH No. 324/10/08

On the 9TH day of OCTOBER, 2008 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area SIX DECIMAL FOUR HECTARES (6.4 HG)

PART B—Proprietorship Section

Name and address of proprietor:

KANYUA WAWERU (MINOR)

Inhibitions, cautions and restrictions—

PART C—Encumbrances Section (leases, charges, etc.)

The following applications are pending:

The certified copies requested are attached.

The fees now payable are Sh. 100; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 9/10/2008

Land Registrar

*Delete if not applicable.

To: The Land Registrar,

Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

Signature of Applicant or his Advocate

GPK

REPUBLIC OF KENYA

R.L. 27

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/688 SEARCH NO. 622/10/08

On the 30TH day of OCTOBER, 2008 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area FIVE DECIMAL SIX HECTARES (5.6Hg)

PART B—Proprietorship Section

Name and address of proprietor:

COUNTY COUNCIL OF EMBU

Inhibitions, cautions and restrictions—

PART C—Encumbrances Section (leases, charges, etc.)

The following applications are pending:

The certified copies requested are attached.

The fees now payable are Sh. 100; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 30/10/2008

Land Registrar

*Delete if not applicable.

To: The Land Registrar,

Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

GPK

Signature of Applicant or his Advocate

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMAKANDI/693 SEARCH NO. 653/10/08

On the 30TH day of OCTOBER, 2008 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area TWO SIX DECIMAL ZERO HECTARES (26.0HA)

PART B—Proprietorship Section

Name and address of proprietor:

IDERI NJERU (MINOR)

.....

Inhibitions, cautions and restrictions—

.....

.....

PART C—Encumbrances Section (leases, charges, etc.)

.....

.....

The following applications are pending:

.....

.....

The certified copies requested are attached.

The fees now payable are Sh. 100; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 30/10/2008

.....
Land Registrar

*Delete if not applicable.

To: The Land Registrar, Search No. .....

..... District Land Registry,

P.O. BOX .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

.....
Signature of Applicant or his Advocate

GPK

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/682 SEARCH NO. 6341/10/08

On the 30TH day of OCTOBER, 20 08 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area FIVE FOUR DECIMAL FIVE HECTARES (54'5 Hc)

PART B—Proprietorship Section

Name and address of proprietor:

STANLEY MURITHI PAUL

LAND CERTIFICATE ISSUED

Inhibitions, cautions and restrictions—

PART C—Encumbrances Section (leases, charges, etc.) CHARGE BY MIDDLE AFRICA FINANCE COMPANY LIMITED TO SECURE THE SUM OF KSH. 350,000/=

The following applications are pending:

The certified copies requested are attached.

The fees now payable are Sh. 100; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 30/10/ 2008

Land Registrar

N. W. Nyaga 096

*Delete if not applicable.

To: The Land Registrar, Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

Signature of Applicant or his Advocate

GPK

REPUBLIC OF KENYA

R.L. 27

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/683 SEARCH NO. 633/10/08

On the 30TH day of OCTOBER, 2008 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area SIX TWO DECIMAL FIVE HECTARES (62.5 Hc)

PART B—Proprietorship Section

Name and address of proprietor:

DAVID WAIGANJO KIGWE

TITLE DEED ISSUED

Inhibitions, cautions and restrictions—

PART C—Encumbrances Section (leases, charges, etc.)

The following applications are pending:

The certified copies requested are attached.

The fees now payable are Sh. 100; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 30/10/ 2008

Land Registrar

N. W. Nyaga 096

*Delete if not applicable.

To: The Land Registrar,

Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

GPR

Signature of Applicant or his Advocate

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/671 SEARCH NO. 626/10/08

On the 30TH day of OCTOBER, 2008 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area TWO FIVE DECIMAL FIVE HECTARES (25.5 HG)

PART B—Proprietorship Section

Name and address of proprietor:

JOSEPH NGACHA KARANI

TITLE DEED ISSUED

Inhibitions, cautions and restrictions—

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.....

PART C—Encumbrances Section (leases, charges, etc.)

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The following applications are pending:

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.....

The certified copies requested are attached.

The fees now payable are Sh. 150; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 30/10/2008

.....
Land Registrar

*Delete if not applicable.

To: The Land Registrar, Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

.....
Signature of Applicant or his Advocate

GFK

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/654 SEARCH NO. 656/10/08

On the 30TH day of OCTOBER, 2008 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area TWO EIGHT DECIMAL ZERO HECTARES (28.0 HA)

PART B—Proprietorship Section

Name and address of proprietor:

ABDULLAMAN KARANJA NGANGA

LAND CERTIFICATE ISSUED

Inhibitions, cautions and restrictions— PROHIBITORY ORDER: NO dealings should be registered On the title Until the Civil Suit NO. 68 of 1994 in the P.M's Court at Embu has been finalized

PART C—Encumbrances Section (leases, charges, etc.)

.....

.....

The following applications are pending:

.....

.....

The certified copies requested are attached.

The fees now payable are Sh. 150; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 30/10/ 2008

.....
Land Registrar
H. W. Nyaga 096

*Delete if not applicable

To: The Land Registrar, Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

.....
Signature of Applicant or his Advocate

GPK

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/675 SEARCH NO. 220/10/08

On the 8TH day of OCTOBER, 20 08 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area FOUR FOUR DECIMAL ZERO HECTARES (44.0 Ha)

PART B—Proprietorship Section

Name and address of proprietor:

MUKIKI FARMERS COMPANY LIMITED

TITLE DEED ISSUED

Inhibitions, cautions and restrictions—

PART C—Encumbrances Section (leases, charges, etc.)

The following applications are pending:

The certified copies requested are attached.

The fees now payable are Sh. 100; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 8/10/08

Land Registrar

N. W. Nyaga 096

*Delete if not applicable.

To: The Land Registrar, Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

Signature of Applicant or his Advocate

GPK

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/659 SEARCH NO. 657/10/08

On the 30TH day of OCTOBER, 2008 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area SEVEN ZERO DECIMAL FIVE HECTARES (70.5Ha)

PART B—Proprietorship Section

Name and address of proprietor:]

VENUS DISTRIBUTORS LIMITED

TITLE DEED ISSUED

Inhibitions, cautions and restrictions—

PART C—Encumbrances Section (leases, charges, etc.) CHARGE BY BULLION FINANCE LIMITED OF P.O BOX 47290 NAIROBI. TO SECURE A SUM OF KSH. 500,000/=

The following applications are pending:]

The certified copies requested are attached.

The fees now payable are Sh. 100; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 30/10/2008

Land Registrar
E. W. Nyaga 096

*Delete if not applicable.

To: The Land Registrar, Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

.....
Signature of Applicant or his Advocate

GPK

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE No. EMBU/KAMARANDI/661 SEARCH No. 244/10/08

On the 8TH day of OCTOBER, 20 08 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area FOUR ZERO DECIMAL ZERO HECTARES (40.0 Hg)

PART B—Proprietorship Section

Name and address of proprietor(s)

DIOCESE OF EMBU TRUSTEE'S REGISTERED TITLE DEED ISSUED

Inhibitions, cautions and restrictions—

.....

.....

PART C—Encumbrances Section (leases, charges, etc.)

.....

.....

The following applications are pending:

.....

.....

The certified copies requested are attached.

The fees now payable are Sh. 100; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 8/10/ 2008

.....
Land Registrar
R. W. Nyaga 096

*Delete if not applicable.

To: The Land Registrar, Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

.....
Signature of Applicant or his Advocate

GPK

REPUBLIC OF KENYA

R.L. 27

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/1662 SEARCH NO. 24/10/08

On the 8TH day of OCTOBER, 20 08 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area TWO EIGHT DECIMAL FIVE HECTARES (28.5Ha)

PART B—Proprietorship Section

Name and address of proprietor:

GEORGE THIONGO MATHU

TITLE DEED ISSUED

Inhibitions, cautions and restrictions— CHARGE ENTRY NO. 1 CONTAINS AN AGREEMENT INTERMS OF SEC. 70 OF R.L.A.

PART C—Encumbrances Section (leases, charges, etc.) BY KENYA COMMERCIAL BANK O.F P.O BOX 75, EMBU. TO SECURE THE SUM OF KSH. 100,000/= ONLY

ENTRY NO. 1 RESERVES THE RIGHT TO TACK AND CONSOLIDATE FURTHER ADVANCES.

The following applications are pending:

The certified copies requested are attached.

The fees now payable are Sh. 160; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 8/10/20 08

4999
Land Registrar

*Delete if not applicable.

To: The Land Registrar,

Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

.....
Signature of Applicant or his Advocate

GPK

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE No. EMBU/KAMARANDI/518 SEARCH No. 255/10/08

On the 9th day of October, 2008 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area 3.2 (HA)

PART B—Proprietorship Section

Name and address of proprietor:

COUNTY COUNCIL OF EMBU
(RESERVED FOR IRIRA MARKET)

Inhibitions, cautions and restrictions—

NIL

PART C—Encumbrances Section (leases, charges, etc.)

NIL

The following applications are pending:

NIL

The certified copies requested are attached.

The fees now payable are Sh. 100/-; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 9th, 2008

Land Registrar

*Delete if not applicable.

To: The Land Registrar, Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

Signature of Applicant or his Advocate

GPK

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/520 SEARCH NO. 25/10/08

On the 9th day of October, 2008 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area 0.6 HA

PART B—Proprietorship Section

Name and address of proprietor:

COUNTY COUNCIL OF EMBU
(RESERVED FOR IRIRI CATHOLIC CHURCH)

Inhibitions, cautions and restrictions—

NIL

PART C—Encumbrances Section (leases, charges, etc.)

NIL

The following applications are pending:

NIL

The certified copies requested are attached.

The fees now payable are Sh. (50)/-; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 9/10/08

Land Registrar

*Delete if not applicable.

To: The Land Registrar, Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

Signature of Applicant or his Advocate

GPK

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/590 SEARCH NO. 279/10/08

On the 9TH day of OCTOBER 2008 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area 0.12 (HA)

PART B—Proprietorship Section

Name and address of proprietor:

AHMED MOHAMMUD

OSMAN SHEIKH MOHAMED

Inhibitions, cautions and restrictions—

LAND CERTIFICATE ISSUED

NIL

PART C—Encumbrances Section (leases, charges, etc.)

NIL

The following applications are pending:

NIL

The certified copies requested are attached.

The fees now payable are Sh. ....; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 9/10/ 20 08 .....
Land Registrar

*Delete if not applicable.

To: The Land Registrar, Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

.....
Signature of Applicant or his Advocate

GPK

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/746 SEARCH NO. 285/7109

On the 21ST day of JULY 20 09 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area ONE SEVEN DECIMAL FIVE HECTARES (1.5Ha)

PART B—Proprietorship Section

Name and address of proprietor:

GICHANJO MWANGERE

Inhibitions, cautions and restrictions—Except under the order of the Chief Land Registrar, no dealings should be registered on this title until the appeal before the Minister has been finalised.

PART C—Encumbrances Section (leases, charges, etc.)

The following applications are pending:

The certified copies requested are attached.

The fees now payable are Sh. 100/=; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 21/7/09

N. W. Nyaga 096
Land Registrar

*Delete if not applicable.

To: The Land Registrar, Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

Signature of Applicant or his Advocate

GPK

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/582 SEARCH NO. 80/7/09

On the 8TH day of JULY, 2009 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area SEVEN DECIMAL ZERO HECTARES (7.0Hg)

PART B—Proprietorship Section

Name and address of proprietor:

ROSEMARY NJERI WACHIRA

TITLE DEED ISSUED

Inhibitions, cautions and restrictions—

PART C—Encumbrances Section (leases, charges, etc.)

The following applications are pending:

The certified copies requested are attached.

The fees now payable are Sh. 100/=; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 8/7/2009

Land Registrar

*Delete if not applicable.

To: The Land Registrar, Search No. .....

..... District Land Registry,

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

Signature of Applicant or his Advocate

GPK

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/924 SEARCH NO. 93/7/09

On the 8TH day of JULY, 2009 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area ONE FOUR DECIMAL ZERO HECTARES (14.0 Hg)

PART B—Proprietorship Section

Name and address of proprietor:

NZOKA MURAGO SHIBA

LAND CERTIFICATE ISSUED

Inhibitions, cautions and restrictions—

NOTE: CHARGE CONTAINS AGREEMENT IN TERMS OF SEC. 70

PART C—Encumbrances Section (leases, charges, etc.) CHARGE BY KENYA COMMERCIAL BANK LIMITED TO SECURE THE SUM OF KSHS. 50,000/=

NOTE: CHARGE RESERVES THE RIGHTS TO TACK AND CONSOLIDATE FURTHER ADVANCES

The following applications are pending:

The certified copies requested are attached.

The fees now payable are Sh. 100/=; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.*

* A stay of registration has been noted in the register.

Date 8/7/09

Land Registrar

*Delete if not applicable.

To: The Land Registrar, Search No.

District Land Registry,

P.O. Box

Postal Order/Money Order/Banker's Cheque/Cash for Sh. attached hereto.

Signature of Applicant or his Advocate

GPK

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/737 SEARCH NO. 341/10/08

On the 9TH day of OCTOBER, 20 08 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area SEVEN DECIMAL ZERO HECTARES (7.0 HC)

PART B—Proprietorship Section

Name and address of proprietor:

LUCY WANGARI GITHAIGA

TITLE DEED ISSUED

Inhibitions, cautions and restrictions—

PART C—Encumbrances Section (leases, charges, etc.)

The following applications are pending:

The certified copies requested are attached.

The fees now payable are Sh. 100; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 9/10/, 2008

Land Registrar

*Delete if not applicable.

To: The Land Registrar, Search No.

District Land Registry,

P.O. Box

Postal Order/Money Order/Banker's Cheque/Cash for Sh. attached hereto.

Signature of Applicant or his Advocate

GPK

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/891 SEARCH NO. 527/10/08

On the 29TH day of OCTOBER, 20 08 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area ONE DECIMAL NINE HECTARES (1.9HA)

PART B—Proprietorship Section

Name and address of proprietor:

DAVID KAUMBUTHU MWANGANGI

Inhibitions, cautions and restrictions—

PART C—Encumbrances Section (leases, charges, etc.)

The following applications are pending:

The certified copies requested are attached.

The fees now payable are Sh. 100; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

N. W. Nyaga 096

Date 29/10/ 2008

Land Registrar

*Delete if not applicable.

To: The Land Registrar, Search No. .....

..... District Land Registry.

P.O. Box .....

.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

Signature of Applicant or his Advocate

GPK

R.L. 27

REPUBLIC OF KENYA

THE REGISTERED LAND ACT
(*Cap.* 300)

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. EMBU/KAMARANDI/964 SEARCH NO. 589/10/08

On the 29th day of October, 2008 the following were the subsisting entries on the register of the above-mentioned title:

PART A—Property Section (Easements, etc.)

Nature of title ABSOLUTE

Approximate area 13.8 (HA)

PART B—Proprietorship Section

Name and address of proprietor:]

PETER NDUNGU MURAGU

NONE DECEASED

Inhibitions, cautions and restrictions—

NIL

PART C—Encumbrances Section (leases, charges, etc.)

NIL

The following applications are pending:]

NIL

The certified copies requested are attached.

The fees now payable are Sh. 100/-; please detach the form below, and attach to it Post Order/Money Order/Bankers Cheque/Cash for that amount and return to me within seven days of today's date.

* A stay of registration has been noted in the register.

Date 29/10/08

M. W. Nyaga 096
Land Registrar

*Delete if not applicable

To: The Land Registrar, Search No. .....

..... District Land Registry,

P.O. Box .....

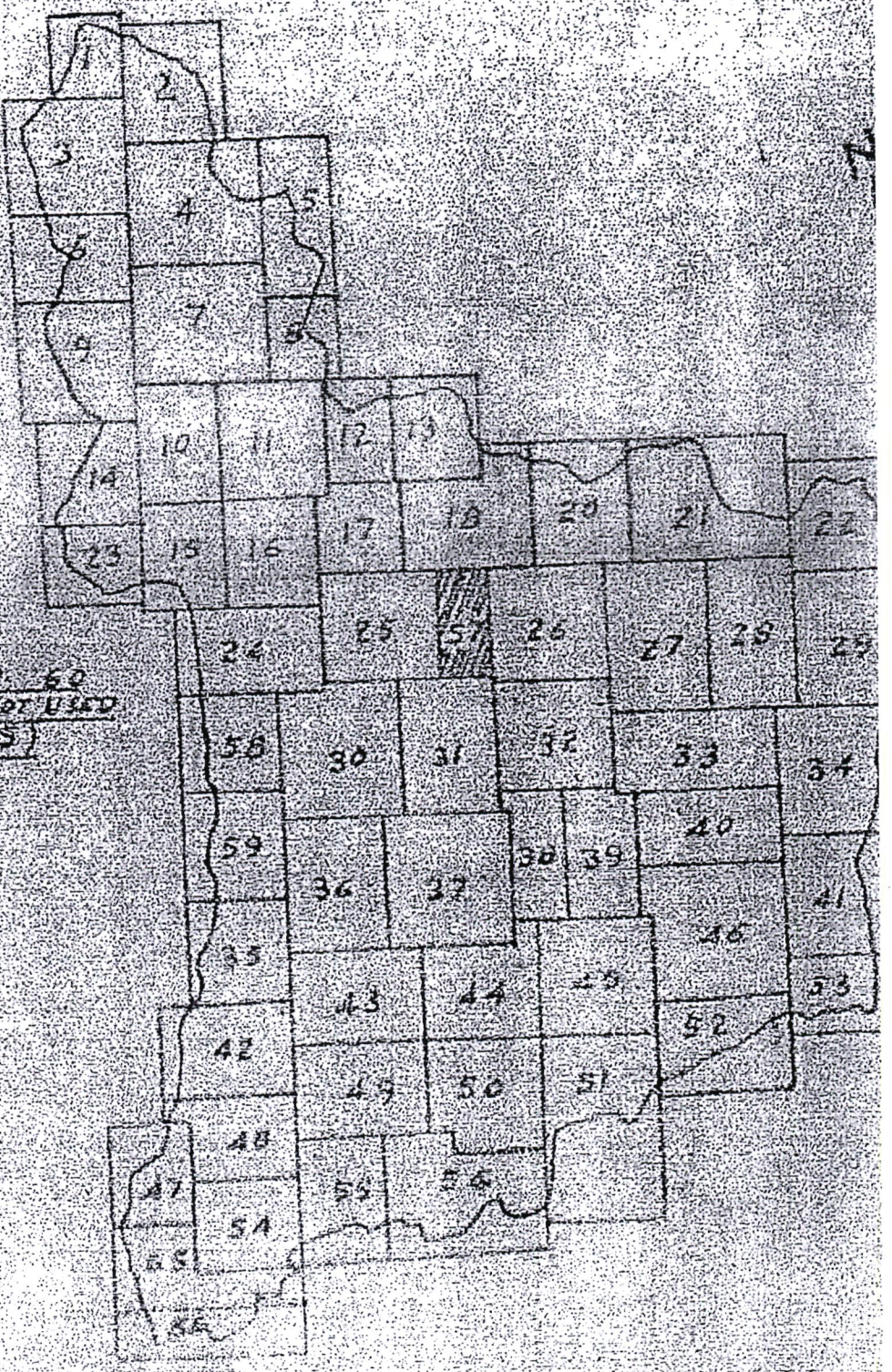
.....

Postal Order/Money Order/Banker's Cheque/Cash for Sh. ..... attached hereto.

.....
Signature of Applicant or his Advocate

GPK

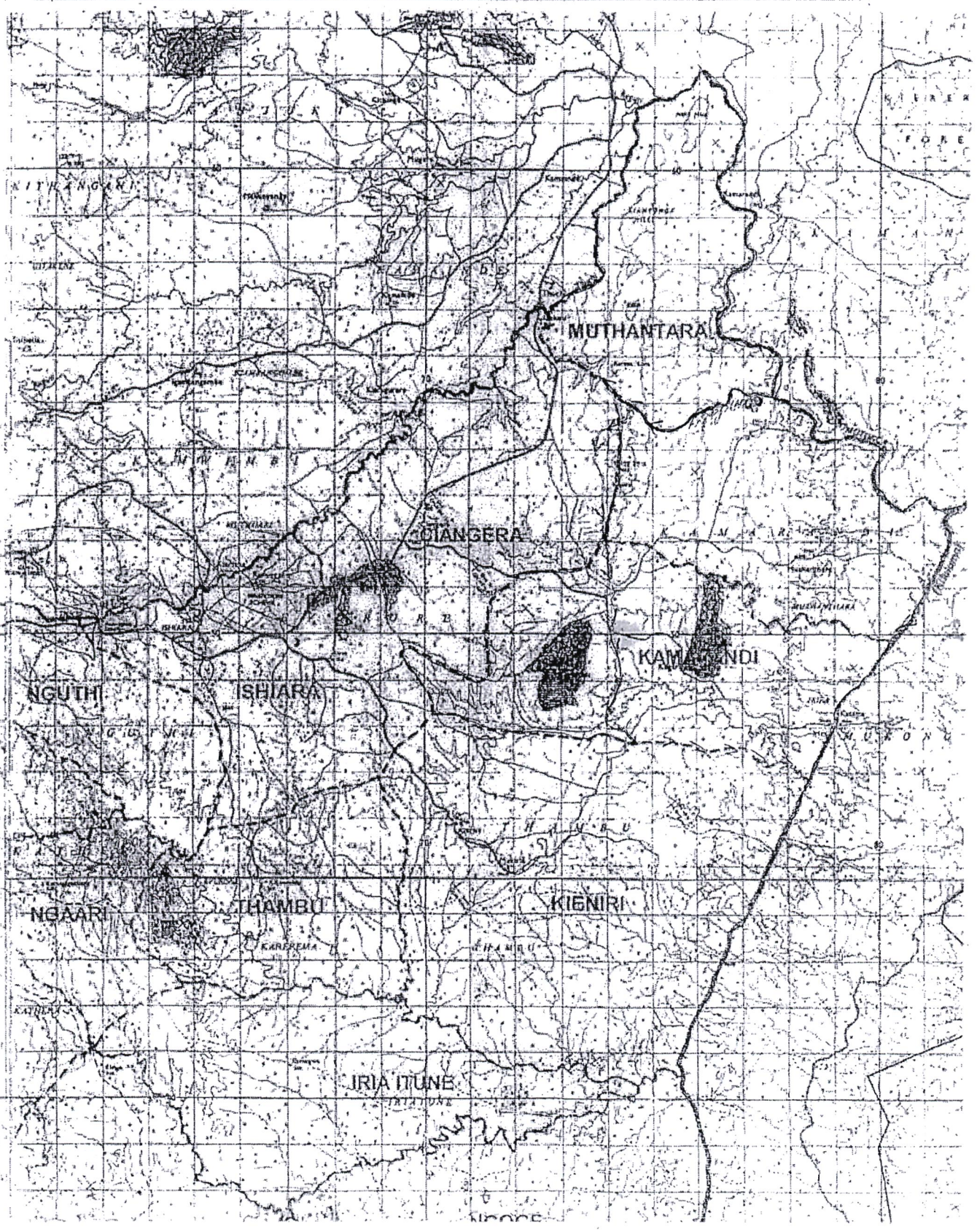
INDEX TO ADJOINING P.I.D'S



P.I.D FOR DIAGRAM No. 60
GRAM Nos 19 37A 57 63 61 & 64 NOT USED
DIAGRAM Nos 18 24 51 56 & 65

SURVEY OF KENYA NOVEMBER 1980

RICT - SUB-LOCATIONS



REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT SIAKAGO

MELC CASE NO. OF 2019

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
06 JUN 2019
RECEIVED
P. O. Box 93 - 60104, SIAKAGO

JOSEPH MUTURI NJIRU----------PLAINTIFF

-VERSUS-

MZEE MBUNGU----------DEFENDANT

LIST OF DOCUMENTS

1. Certificate of official search land parcel number EVURORE/KAMARANDI/742
2. Copy of title deed land parcel NO.EVURORE/KAMARANDI/742

Dated this 17th day of June 2019

JOSEPH MUTURI NJIRU

PLAINTIFF

DRAWN & FILED BY

Joseph Muturi Njiru

P.O Box 95

ISHIARA

TO BE SERVED UPON

Mzee Mbugu

P.O Box 95

ISHIARA

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT SIAKAGO

MELC CASE NO. OF 2019

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
26 JUN 2019
RECEIVED
P.O. Box 93 - 60104, SIAKAGO

JOSEPH MUTURI NJIRU----------PLAINTIFF

-VERSUS-

MZEE MBUNGU----------DEFENDANT

LIST OF WITNESSES

1. Joseph Muturi Njeru
2. to be state through the courts leave

Dated this.....17th.....day of.....June.....2019

JMN

JOSEPH MUTURI NJIRU

PLAINTIFF

DRAWN & FILED BY

Joseph Muturi Njiru

P.O Box 95

ISHIARA

TO BE SERVED UPON

Mzee Mbugu

P.O Box 95

ISHIARA

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
18 JUN 2019
RECEIVED
P. O. Box 93 - 60104, SIAKAGO

REPUBLIC OF KENYA

THE LAND CONTROL ACT

No. 3 of 2012 (Section 108)

(Cap. 300) (Repealed)

EMBU/KAMARANDI/742

CERTIFICATE OF OFFICIAL SEARCH

TITLE NO. ..... SEARCH NO. 6/2019

On the 13TH day of JUNE 2019 the following

Were the subsisting entries on the register of the above-mentioned title:

PART A - PROPERTY SECTION (EASEMENT, ETC)

Nature of Title: ABSOLUTE

Approximate area: 7.6HA (SEVEN decimal SIX HECTARES

PART B - PROPRIETORSHIP SECTION

Name and Address of the Proprietor:—

JOSEPH MUTURI NJIRU

TITLE DEED ISSUED

Inhibitions, Cautions and Restrictions:

PART C - ENCUMBRANCES SECTION (LEASE, CHARGE, ETC)

The following applications are pending:

The certified copies requested are attached

The minimum fee KSh. 500 (Five hundred only)

Dated this 13TH day of JUNE 2019

Land Registrar

THE LAND REGISTRAR,

..... District Land Registry.

P.O. Box .....

.....

KSh ..... attached hereto

Signature of the applicant or his advocate

TO BE SUBMITTED IN DUPLICATE

Served on 27/6/2019

Summons to Enter Appearance
O.V.r 1

CIVIL 1B

REPUBLIC OF KENYA

IN THE S.P MAGISTRATE'S COURT AT SIAKAGO

CIVIL SUIT NO. 43 OF 2019

JOSEPH MUTURI NARU } Plaintiff

against

MZEE MBUNGU } Defendant

TO Mzee Mbungu

WHEREAS the above-named Plaintiff has instituted a suit against you upon the claim, the particulars of which are set out in the copy plaint with annexure attached hereto.

YOU ARE HEREBY REQUIRED within 15 days from the date of service hereof to enter an appearance in the said suit.

Should you fail to enter an appearance within the time mentioned above, the Plaintiff may proceed with the suit and judgment may be given in your absence.

Given and issued under my hand and the Seal of Court this 24th day of June 2019

SIAKAGO PRINCIPAL MAGISTRATE REPUBLIC OF KENYA

EXECUTIVE OFFICER
SIAKAGO LAW COURTS

Magistrate/Executive Officer
or Officer appointed under O.I.V., rule 3(2)

IMPORTANT NOTICE

(1) You may appear in this suit by entering an appearance either personally, or by duly appointed advocate at SIAKAGO. Appearance can be entered by filing with the Court Memo. of Appearance (forms are obtained from Court at 50 cents each) in duplicate, showing the defendant's address for service. A copy of Memo of Appearance should also be sent to the Plaintiff or his advocate, if any.

You may enter an appearance through the Post by sending the following to the S.P. Magistrate (Civil), P.O. Box 93 SIAKAGO

(i) Memorandum of Appearance and a copy.
(ii) Notice of Appearance and a copy.
(iii) Two envelops each sufficiently stamped; one addressed to the Plaintiff or his advocate at the address for service and the other addressed to yourself.

(2) If you admit the claim the total sum now due is:

Sum claimed in plaint.....	Sh. .....
Advocate's cost	Sh. .....
Court fees	Sh. SEE PLAINT.
Court collection fee	Sh. .....
Total.....	Sh. .....

(3) If payment is made direct to the Plaintiff no Court Collection fee is payable. Cheques cannot be accepted. Remittance must be by coin, bank-notes or postal orders

(4) This summons is valid for 12 months from the date of issue.

[P.T.O]

I have received copies of the summons and the plaint of this ..... day of .....
20 ..... at .....o'clock.

.....

Signature of Recipient

AFFIDAVIT OF SERVICE

I, ... a Process Server of this Court make oath/affirm and say as follows:

The said defendant .....
at the time personally known to me, and I served summons on him/her on the ..... day of ....., 20..... at about ..... o'clock in the ..... noon at ..... by tendering a copy therefore to him/her and requiring his/her signature on the principal.

.....

Deponent

Sworn/Affirmed by the said .....
at ..... this ..... day of ..... 20.....

Before me

.....

Magistrate

Note — If substituted service has been ordered state fully and exactly the manner in which the process was served with special reference to the terms of the order for substituted service.

Act - Form

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT SIAKAGO

MELC CASE NO. 43 OF 2019

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
26 JUN 2019
RECEIVED
P. O. Box 93 - 60104, SIAKAGO

JOSEPH MUTURI NJIRU----------PLAINTIFF

-VERSUS-

MZEE MBUNGU----------DEFENDANT

PLAINT

(FAST TRUCK)

1. The plaintiff is an adult male person of sound mind residing and working for gain in Evurore location and whose address for service shall be care of P.O Box 95 Ishiara.

2. The defendant is a male adult of sound mind residing and working for gain in Kianjeru Village, Evurore Location and whose address for service shall be P.O Box 95 Ishiara*(service of summons shall be effected through plaintiff)*

3. At all material time of this suit, plaintiff is the registered proprietor/owner of land parcel number EVURORE/KAMARANDI/742 and has its title deed.

4. The defendant on or about the years 2016 trespassed and or illegally entered into land parcel EVURORE/KAMARANDI/742 without any colour or right and has tilled it since then and has continued to be in illegal occupation with his family members and dependants on the same.

5. The defendant has been in illegal occupation and use by way of cultivation, grazing and continues to occupy the plaintiff's land parcel EVURORE/KAMARANDI/742 and has further denied the plaintiff accessibility to the parcel.

6. The plaintiff's claim against the defendant is for an order of eviction against Defendant, his agents, family members, employees/servants/dependants and or anybody/person claiming through him from suit land Parcel no. EVURORE/KAMARANDI/742

7. Despite demand notice of intention to sue, the defendant has refused/failed and or neglected to vacate from the plaintiff's parcel of land.

8. The plaintiff avers that there is no suit pending in any other court between the plaintiff and the defendant regarding the same subject matter.

9. The cause of action arose within the jurisdiction of this Honourable Court.

REASONS WHEREFORE the plaintiff prays for judgment against the defendant for ORDERS:-

a) An eviction order against the defendant, his family members,agents,servants,employees and or any other person claiming through him from land parcel EVURORE/KAMARANDI/742.

b) Costs of this suit.

c) Any other further relief that this Honourable Court deems fit and just to grant.

Dated this 17th day of June 2019

J M

JOSEPH MUTURI NJIRU

PLAINTIFF

DRAWN & FILED BY

Joseph Muturi Njiru

P.O Box 95

ISHIARA

TO BE SERVED UPON

Mzee Mbugu

P.O Box 95

ISHIARA

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT SIAKAGO

MELC CASE NO. OF 2019

PRINCIPAL MAGISTRATE LAW COURT SIAKAGO
06 JUN 2019
RECEIVED
P. O. Box 93 - 60104, SIAKAGO

JOSEPH MUTURI NJIRU----------PLAINTIFF

-VERSUS-

MZEE MBUNGU----------DEFENDANT

VERIFYING AFFIDAVIT

I,JOSEPH MUTURI NJIRU of P.O Box 95 Ishiara in the Republic of Kenya do hereby swear this affidavit and state as follows:-

1. That I am the plaintiff herein hence competent to swear this affidavit.
2. That I hereby confirm that all the matters contained in the plaint are all true and correct.
3. That the facts deponed to herein above is true to the best of my knowledge, information and belief.

Sworn at Siakago this.....17th.....day of.....June.....2019

By the said

JOSEPH MUTURI NJIRU

BEFORE

J. I. MWAI ADVOCATE
COMMISSIONER FOR OATHS
P.O. Box 802, KERUGOYA

J M

DEPONENT

COMMISSIONER FOR OATHS

DRAWN & FILED BY

Joseph Muturi Njiru

P.O Box 95

ISHIARA

TO BE SERVED UPON

Mzee Mbugu

P.O Box 95

ISHIARA

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT SIAKAGO

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
06 JUN 2019
RECEIVED
P. O. Box 95 - 60104, SIAKAGO

MELC CASE NO. OF 2019

JOSEPH MUTURI NJIRU----------PLAINTIFF

-VERSUS-

MZEE MBUNGU----------DEFENDANT

STATEMENT OF PLAINTIFF

1. I am a male adult of sound mind residing and working for gain in Ishiara market of Embu County
2. I am the plaintiff herein and the registered proprietor of EVURORE/KAMARANDI/742 and I have its tittle deed
3. The defendant has illegally trespassed and settled on the suit land without any colour or right.
4. That I have many times verbally warned the defendant to vacate this land and refused.
5. That as a result of the said disagreement there is no other solution apart from filing this suit.

Dated this 17th day of June 2019

JM

JOSEPH MUTURI NJIRU

PLAINTIFF

DRAWN & FILED BY

Joseph Muturi Njiru

P.O Box 95

ISHIARA

TO BE SERVED UPON

Mzee Mbugu

P.O Box 95

ISHIARA

REPUBLIC OF KENYA

THE LAND REGISTRATION ACT

(*No.* 3 *of* 2012, *section* 108)

THE REGISTERED LAND ACT

(*Chapter* 300) (REPEALED)

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
06 JUN 2019
RECEIVED
P. O. Box 93 - 60104, SIAKAGO

Title Deed

Title Number EMU/KAMARANDI/742

Approximate Area 7.6 HA.

Registry Map Sheet No. 14 & 10

This is to certify that JOSEPH MUTURI NJIHU ID.9679870

P.O. BOX 13, ISHIARA.

is (are) now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 28 of the Land Registration Act (No. 3 of 2012) as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the

MERERE District Land Registry

this 22ND day of FEBRUARY 20 18

Land Registrar

J. K. Kamau 315

(To be completed only when the applicant has paid the fee of Sh. 125)

At the date stated on the front hereof, the following entries appeared in the register relating to the land:

EDITION: 1

OPENED: 8th 11th 82

PART A—PROPERTY SECTION

REGISTRATION SECTION	EASEMENTS, ETC.	NATURE OF TITLE
EMBU/KAMARANDI		
PARCEL NUMBER		
742		
APPROXIMATE AREA		ABSOLUTE
7.6 Ha.		
REGISTRY MAP SHEET No.		
14 & 10		

PART B—PROPRIETORSHIP SECTION

Entry No.	Date	Name of Registered Proprietor	Address and Description of Registered Proprietor	Consideration and Remarks	Signature of Registrar
3	4th 10th 2017	JOSEPH MUTURI NJIHU	ID.9679870		[signature]
4	22nd 2nd 2018	TITLE	DEED	ISSUED	J. K. Kamau 31

PART C—ENCUMBRANCES SECTION

Entry No.	Date	Nature of Encumbrance	Further Particulars	Signature of Registrar
			KEN	
			NCIPAL A	
			AT SIAL	

O. K. Kamau 318 Registrar

REPUBLIC OF KENYA

THE LAND REGISTRATION ACT

(*No.* 3 *of* 2012, *section* 108)

THE REGISTERED LAND ACT

(*Chapter* 300) (REPEALED)

Title Deed

MLS/TD/02/A2/02

A ITN 807987

IGATI MWAI & CO. ADVOCATES
COMMISSIONER FOR OATHS
J.I. MWAI B. COM (HONS), DIP (KSL) HRM (KSL)
OFFICE
P. O BOX 802 WANJAU HOUSE
KERUGOYA
ROOM NO. 32
MOBILE NO.0728 790 676

7th SEPTEMBER 2018

TO,

LUKA KIARIE NYAGA
NDENDERU SUB-LOCATION
C/O CHIEF KAMARANDI LOCATION

Dear Sir/Madam ,

RE: DEMAND NOTICE

With instruction from my client I have been instructed to inform you to vacate from L.P. NO.EMBU/KAMARANDI/554.

That at all material time our client is the Personal representative to the estate of NJERU NG'ONDU

That you have been forcefully utilizing my L.P. NO.EMBU/KAMARANDI/554. And you are hereby instructed to vacate the above mentioned land within a period of three (3) months from today 7th Sept 2018 to 7th December 2018.

That when you are given vacant possession to utilize my parcel of land you started using it as per my wish and thus no one has the right to dictate to me on how and when to use my portion of land.

TAKE NOTICE that if you are not going to comply with this demand notice legal proceeding will be taken against you.

Yours faithfully,

PETERSON SIMBA NJUE
J. I. MWAI - ADVOCATE
COMMISSIONER FOR OATHS
P. O. Box 802, KERUGOYA

DRAWN BY
JAMES IGATI MWAI & CO ADVOCATE
WANJAU HOUSE
P.O BOX 802,
KERUGOYA.

C.C
1. CHIEF KAMARANDI LOCATION
2. OCPP ISHIARA POLICE POST

REPUBLIC OF KENYA
IN THE CHIEF MAGISTRATE'S COURT AT NAIROBI
IN THE MATTER OF LAND REGISTRATION ACT, CAP 300
LAWS OF KENYA

VERIFYING AFFIDAVIT

I **JAMES GAKUVI** holder of ID Card No. **3777773** and residing in **Muthanthara** sub-location, **Kamarandi** Location, **Evurori** Division, **Mbeere** North District in the republic of Kenya do hereby make Oath and state as follows:-

1. That am a female adult of sound mind and hence competent to swear this affidavit.
2. That I own land at Muthanthara sub-location which is in Mbeere North District.
3. That my forefathers entered into this land I own since 1901.
4. That I have interest in the said land situated in Muthanthara sub-location, **Kamarandi** Location, **Evurori** division in Mbeere north district.
5. That after attaining the age of maturity, I registered as a Kenyan citizen in the said area of Jurisdiction i.e. Muthanthara sub-location.
6. That I now restrain any person or agent who might reclaim illegal ownership in the said land, I or my forefathers have settled for the last fifty years.
7. That any person/agent holding a title deed in the said potion of land be revoked.
8. That what is deponed herein above is true to the best of my knowledge, information and belief.

SWORN at NAIROBI

This 19th Day of October 2012

By the Said **JAMES GAKUVI**

DEPONENT

BEFORE ME

MAGISTRATE/COMMISSIONER FOR OATH

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT AT EMBU

CIVIL SUIT NO. 87 OF 1986

LAMECK NJEGE ..... PLAINTIFF

Versus

JAMES GAKUVI NJAGE ..... DEFENDANT

ORDER

BEFORE R. MOCHACHE – SRM

IN OPEN COURT ON 8TH JULY 2004

Upon reading an application filed on 17th May 2004 by the Defendant JAMES GAKUVI NJAGE and supported by his sworn affidavit AND upon reading a replying affidavit of m/s H. M. J. UTUKU counsel for the Plaintiff AND upon recording a consent by both counsel m/s H. M. J. UTUKU Advocate for Plaintiff and MURANGO MWENDA Advocate for the Defendant and in the presence of both parties;

IT IS HEREBY ORDERED AND DECREED THAT: -

By consent of the counsels herein, the Courts Decree dated 3rd July 2001 be amended to read as follows: -

1. The Plaintiff do excise and transfer to the Defendant one half (½) share of the suit land L. R. EMBU/KAMARANDI/954 and in default, the executive officer of this court to sign all the documents necessary to effect the excision and the transfer.

2. The Plaintiff to pay the Defendants ½ costs of this suit.

IT IS FURTHER AGREED THAT: -

3. The District Land Registrar and the District Surveyor Mbeere District do visit the suit land mark out the boundaries of the land and subdivide the same into two equal parts.

4. The Defendant to pay the costs of the marking and the subdivision which costs shall be deemed as costs of the suit.

5. Costs of the Chamber Summons dated 17th May 2004 be paid to the Plaintiff/Respondent.

Given under my hand and the seal of this court this ....9th..... day of JULY... 2004

.....

R. MOCHACHE

SRM.

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT SIAKAGO

MELC CASE NO. OF 2019

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
06 JUN 2019
RECEIVED
P. O. Box 93 - 60104, SIAKAGO

JOSEPH MUTURI NJIRU----------PLAINTIFF

-VERSUS-

MZEE MBUNGU----------DEFENDANT

LIST OF DOCUMENTS

1. Certificate of official search land parcel number EVURORE/KAMARANDI/742
2. Copy of title deed land parcel NO.EVURORE/KAMARANDI/742

Dated this.....17th.....day of.....June.....2019

JOSEPH MUTURI NJIRU

PLAINTIFF

DRAWN & FILED BY

Joseph Muturi Njiru

P.O Box 95

ISHIARA

TO BE SERVED UPON

Mzee Mbugu

P.O Box 95

ISHIARA

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT SIAKAGO

MELC CASE NO. OF 2019

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
26 JUN 2019
RECEIVED
P.O. Box 93 - 60104, SIAKAGO

JOSEPH MUTURI NJIRU----------PLAINTIFF

-VERSUS-

MZEE MBUNGU----------DEFENDANT

LIST OF WITNESSES

1. Joseph Muturi Njeru
2. to be state through the courts leave

Dated this.....17th.....day of.....June.....2019

JMN

JOSEPH MUTURI NJIRU

PLAINTIFF

DRAWN & FILED BY

Joseph Muturi Njiru

P.O Box 95

ISHIARA

TO BE SERVED UPON

Mzee Mbugu

P.O Box 95

ISHIARA

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
16 JUN 2019
RECEIVED
P. O. Box 93 - 60104, SIAKAGO

REPUBLIC OF KENYA

THE LAND CONTROL ACT

No. 3 of 2012 (Section 108)

(Cap. 300) (Repealed)

EMBU/KIAMWARANDI/742

CERTIFICATE OF OFFICIAL SEARCH

TITLE NUMBER ..... SEARCH NO 6/2019

On the 13TH day of JUNE 2019 the following

Were the subsisting entries on the register of the above-mentioned title:

PART A PROPERTY SECTION (EASEMENT, ETC)

Nature of Title: ABSOLUTE

Approximate area: 7.6 HA (SEVEN decimal SIX hectares

PART B - PROPRIETORSHIP SECTION

Name and Address of the Proprietor:—

JOSEPH MUTURI NJIRU

TITLE DEED ISSUED

Inhibitions, Cautions and Restrictions:—

PART C - ENCUMBRANCES SECTION (LEASE, CHARGE, ETC)

The following applications are pending:

A certified copies requested are attached

A minimum fee KSh. 500 (Five hundred only)

Dated this 13TH day of JUNE 2019

Land Registrar

THE LAND REGISTRAR,

.....

District Land Registry

P.O. Box .....

.....

KSh ..... attached hereto

Signature of the applicant or his advocate

TO BE SUBMITTED IN DUPLICATE

Served on 27/6/2019

Summons to Enter Appearance
O.V.s I

CIVIL 1B

REPUBLIC OF KENYA

IN THE S.P. MAGISTRATE'S COURT AT SIAKAGO

CIVIL SUIT NO. 43 OF 2019

JOSEPH MUTURI MARU } Plaintiff

against

MZEE MBUNGU } Defendant

TO Mzee Mbungu

WHEREAS the above-named Plaintiff has instituted a suit against you upon the claim, the particulars of which are set out in the copy plaint with annexure attached hereto.

YOU ARE HEREBY REQUIRED within 15 days from the date of service hereof to enter an appearance in the said suit.

Should you fail to enter an appearance within the time mentioned above, the Plaintiff may proceed with the suit and judgment may be given in your absence.

Given and issued under my hand and the Seal of Court this 24th day of June 2019.

SUBORDINATE PRINCIPAL MAGISTRATE SIAKAGO REPUBLIC OF KENYA

EXECUTIVE OFFICER
SIAKAGO LAW COURTS

~~Magistrate/Executive Officer~~
or Officer appointed under O.I.V., rule 3(2)

IMPORTANT NOTICE

(1) You may appear in this suit by entering an appearance either personally, or by duly appointed advocate at SIAKAGO. Appearance can be entered by filing with the Court Memo. of Appearance (forms are obtained from Court at 30 cents each) in duplicate, showing the defendant's address for service. A copy of Memo of Appearance should also be sent to the Plaintiff or his advocate, if any.

You may enter an appearance through the Post by sending the following to the S.P. Magistriate (Civil), P.O. Box 93 SIAKAGO

(i) Memorandum of Appearance and a copy.
(ii) Notice of Appearance and a copy.
(iii) Two envelops each sufficiently stamped; one addressed to the Plaintiff or his advocate at the address for service and the other addressed to yourself.

(2) If you admit the claim the total sum now due is:

Sum claimed in plaint.....	Sh. .....
Advocate's cost	Sh. .....
Court fees	Sh. SEE PLAINT.
Court collection fee	Sh. .....
Total.....	Sh. .....

(3) If payment is made direct to the Plaintiff no Court Collection fee is payable. Cheques cannot be accepted. Remittance must be by coin, bank-notes or postal orders

(4) This summons is valid for 12 months from the date of issue.

[P.T.O]

I have received copies of the summons and the plaint of this ..... day of ..... 20 ..... at .....o'clock.

.....

Signature of Recipient

AFFIDAVIT OF SERVICE

I, ... a Process Server of this Court make oath/affirm and say as follows:

The said defendant ..... was at the time personally known to me, and I served summons on him/her on the ..... day of ..... 20..... at about ..... o'clock in the ..... noon at ..... by tendering a copy therefore to him/her and requiring his/her signature on the principal.

.....

Deponent

Sworn/Affirmed by the said .....

at ..... this ..... day of ..... 20.....

Before me

.....

Magistrate

Note — If substituted service has been ordered state fully and exactly the manner in which the process was served with special reference to the terms of any order for substituted service.

MF - 12/2000

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT SIAKAGO

MELC CASE NO. 43 OF 2019

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
26 JUN 2019
RECEIVED
P. O. Box 93 - 60104, SIAKAGO

JOSEPH MUTURI NJIRU----------PLAINTIFF

-VERSUS-

MZEE MBUNGU----------DEFENDANT

PLAINT

(FAST TRUCK)

1. The plaintiff is an adult male person of sound mind residing and working for gain in Evurore location and whose address for service shall be care of P.O Box 95 Ishiara.

2. The defendant is a male adult of sound mind residing and working for gain in Kianjeru Village, Evurore Location and whose address for service shall be P.O Box 95 Ishiara*(service of summons shall be effected through plaintiff)*

3. At all material time of this suit, plaintiff is the registered proprietor/owner of land parcel number EVURORE/KAMARANDI/742 and has its title deed.

4. The defendant on or about the years 2016 trespassed and or illegally entered into land parcel EVURORE/KAMARANDI/742 without any colour or right and has tilled it since then and has continued to be in illegal occupation with his family members and dependants on the same.

5. The defendant has been in illegal occupation and use by way of cultivation, grazing and continues to occupy the plaintiff's land parcel EVURORE/KAMARANDI/742 and has further denied the plaintiff accessibility to the parcel.

6. The plaintiff's claim against the defendant is for an order of eviction against Defendant, his agents, family members, employees/servants/dependants and or anybody/person claiming through him from suit land Parcel no. EVURORE/KAMARANDI/742

7. Despite demand notice of intention to sue, the defendant has refused/failed and or neglected to vacate from the plaintiff's parcel of land.

8. The plaintiff avers that there is no suit pending in any other court between the plaintiff and the defendant regarding the same subject matter.

9. The cause of action arose within the jurisdiction of this Honourable Court.

REASONS WHEREFORE the plaintiff prays for judgment against the defendant for ORDERS:-

a) An eviction order against the defendant, his family members,agents,servants,employees and or any other person claiming through him from land parcel EVURORE/KAMARANDI/742.

b) Costs of this suit.

c) Any other further relief that this Honourable Court deems fit and just to grant.

Dated this 17th day of June 2019

J M

JOSEPH MUTURI NJIRU

PLAINTIFF

DRAWN & FILED BY

Joseph Muturi Njiru

P.O Box 95

ISHIARA

TO BE SERVED UPON

Mzee Mbugu

P.O Box 95

ISHIARA

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT SIAKAGO

MELC CASE NO. OF 2019

PRINCIPAL MAGISTRATE LAW COURT
SIAKAGO
06 JUN 2019
RECEIVED
P. O. Box 93 - 60104, SIAKAGO

JOSEPH MUTURI NJIRU----------PLAINTIFF

-VERSUS-

MZEE MBUNGU----------DEFENDANT

VERIFYING AFFIDAVIT

I,JOSEPH MUTURI NJIRU of P.O Box 95 Ishiara in the Republic of Kenya do hereby swear this affidavit and state as follows:-

1. That I am the plaintiff herein hence competent to swear this affidavit.
2. That I hereby confirm that all the matters contained in the plaint are all true and correct.
3. That the facts deponed to herein above is true to the best of my knowledge, information and belief.

Sworn at Siakago this.....17th.....day of.....June.....2019

By the said

JOSEPH MUTURI NJIRU

BEFORE

J. I. MWAI ADVOCATE
COMMISSIONER FOR OATHS
P.O. Box 802, KERUGOYA

J M

DEPONENT

COMMISSIONER FOR OATHS

DRAWN & FILED BY

Joseph Muturi Njiru

P.O Box 95

ISHIARA

TO BE SERVED UPON

Mzee Mbugu

P.O Box 95

ISHIARA

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT

AT SIAKAGO

PRINCIPAL MAGISTRATE COURT
SIAKAGO LAW COURT
06 JUN 2019
RECEIVED
P. O. Box 95 - 60104, SIAKAGO

MELC CASE NO. OF 2019

JOSEPH MUTURI NJIRU----------PLAINTIFF

-VERSUS-

MZEE MBUNGU----------DEFENDANT

STATEMENT OF PLAINTIFF

1. I am a male adult of sound mind residing and working for gain in Ishiara market of Embu County
2. I am the plaintiff herein and the registered proprietor of EVURORE/KAMARANDI/742 and I have its tittle deed
3. The defendant has illegally trespassed and settled on the suit land without any colour or right.
4. That I have many times verbally warned the defendant to vacate this land and refused.
5. That as a result of the said disagreement there is no other solution apart from filing this suit.

Dated this 17th day of June 2019

JM

JOSEPH MUTURI NJIRU

PLAINTIFF

DRAWN & FILED BY

Joseph Muturi Njiru

P.O Box 95

ISHIARA

TO BE SERVED UPON

Mzee Mbugu

P.O Box 95

ISHIARA

REPUBLIC OF KENYA

THE LAND REGISTRATION ACT

(*No.* 3 *of* 2012, *section* 108)

THE REGISTERED LAND ACT

(*Chapter* 300) (REPEALED)

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
08 JUN 2019
RECEIVED
P. O. Box 93 - 60104, SIAKAGO

Title Deed

Title Number EMU/KAMARANDI/742

Approximate Area 7.6 HA.

Registry Map Sheet No. 14 & 10

This is to certify that JOSEPH MUTURI NJIRU ID.9679870

P.O. BOX 13, ISHIARA.

is (~~are~~) now registered as the absolute proprietor(s) of the land comprised in the above-mentioned title, subject to the entries in the register relating to the land and to such of the overriding interests set out in section 28 of the Land Registration Act (No. 3 of 2012) as may for the time being subsist and affect the land.

GIVEN under my hand and the seal of the

MERERU District Land Registry

this 22ND day of FEBRUARY 20 18

Land Registrar

J. K. Kamau 315

(To be completed only when the applicant has paid the fee of Sh. 125)

At the date stated on the front hereof, the following entries appeared in the register relating to the land:

EDITION: 1

OPENED: 8th 11th 82

PART A—PROPERTY SECTION

REGISTRATION SECTION	EASEMENTS, ETC.	NATURE OF TITLE
EMBU/KAMARANDI	(Sec 108)	
PARCEL NUMBER		
742		
APPROXIMATE AREA		ABSOLUTE
7.6 Ha.		
REGISTRY MAP SHEET No.		
14 & 10		

PART B—PROPRIETORSHIP SECTION

Entry No.	Date	Name of Registered Proprietor	Address and Description of Registered Proprietor	Consideration and Remarks	Signature of Registrar
3	4th 10th 2017	JOSEPH MUTURI NJIHU	ID.9679870		[signature]
4	22nd 2nd 2018	TITLE	DEED	ISSUED	Kamau S.L.
				J. K.	

PART C—ENCUMBRANCES SECTION

Entry No.	Date	Nature of Encumbrance	Further Particulars	Signature of Registrar
			CEN	
			NCIPAL A	
			AT SIAL	

O. K. Kamau 315 Registrar

REPUBLIC OF KENYA

THE LAND REGISTRATION ACT

(*No.* 3 *of* 2012, *section* 108)

THE REGISTERED LAND ACT

(*Chapter* 300) (REPEALED)

Title Deed

MLS/TD/02/A2/02

A 807987

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT AT EMBU

CIVIL SUIT NO. 87 OF 1986

LAMECK NJEGE ..... PLAINTIFF

Versus

JAMES GAKUVI NJAGE ..... DEFENDANT

CHAMBER SUMMONS

LET ALL PARTIES attend the Senior Principal Magistrate's Court in Chambers on ..... Day of JUNE 2004 at 9 a.m. O'clock in the forenoon or soon thereafter for the Defendant/Applicant to seek orders that: -

1. An order that the Land Registrar and the District Surveyor Mbeere to fix the boundaries of the land No. Embu/Kamarandi/954.

2. Costs of this application be provided for.

THIS APPLICATION is based on the following grounds: -

1. The defendant was decreed to exercise and transfer to the plaintiff half an acre (½) out of parcel land No. Embu/Kamarandi/954.

2. The Land Registrar and surveyor went to execute the decree on 8th November 1994 but they were unable because there were no boundaries visible on the ground of the suit land.

3. The boundaries should be fixed first to enable the defendant/applicant exercise the (½) half acre from the suit land Embu/Kamarandi/954 and transfer it to the plaintiff.

THIS APPLICATION is further supported by the sworn affidavit of the defendant/applicant and further grounds to be adduced at the time of hearing.

Dated at Embu this 17th Day of May 2004.

X.....

JAMES GAKUVI NJAGI

DRAWN AND FILED BY:

JAMES GAKUVI NJAGE
P. O. BOX 165
ISHIARA

TO BE SERVED UPON:

LAMECK NJEGE
C/O ISHIARA TOWN
THROUGH SUB-CHIEF
KAMARANDI

PENAL NOTICE:

If any party served does not appear at the time and place above mentioned such order will be made and proceedings taken as the Court may think just and expedient.

REPUBLIC OF KENYA

IN THE SENIOR PRINCIPAL MAGISTRATE'S COURT AT EMBU

CIVIL SUIT NO. 87 OF 1986

LAMECK NJEGE ..... PLAINTIFF

Versus

JAMES GAKUVI NJAGE ..... DEFENDANT

SUPPORTING AFFIDAVIT

I JAMES GAKUVI NJAGE of P. O. BOX 165 ISHIARA make oath and state as follows:

1. THAT I am competent to swear this affidavit.

2. THAT I am the defendant in this case.

3. THAT this case was finalized and I was ordered to exercise (½) a half an acre out of parcel of land No. Embu/Kamarandi/954 and transfer it to the plaintiff JAMECK NJEGE.

4. THAT I sent the Land Registrar and the District Surveyor to the suit land on 8/11/1994 to execute the decree.

5. THAT they were unable to do the work because there are no visible boundaries on the suit land.

6. THAT I now pray that the Court makes an order that the Land Registrar and the District Surveyor Mbeere to fix the boundaries of the suit land to enable me transfer ½ acre to the plaintiff.

7. THAT the Court makes any further order which it finds just in respect to this application.

8. THAT the contents of this affidavit are true to the best of my knowledge and belief.

Dated at Embu this 17th day of May 2004.

JAMES

JAMES GAKUVI NJAGE

DRAWN AND FILED BY:

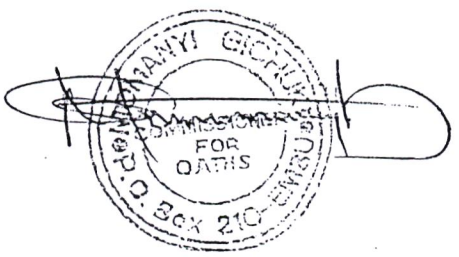
JAMES GAKUVI NJAGE
P. O. BOX 165 – ISHIARA

SWORN BY ME:

JAMES GAKUVI NJAGE

JAMES
DEPONENT

BEFORE ME:



MAGISTRATE/COMMISSIONER FOR OATHS

ISHIARA POLICE STATION
P.O. BOX 210
SIAKAGO
08/06/2020

Attended to see
at 6.38 pm
[signature]
Notes in file
[signature] Born

TO
THE M.O.H
ISHIARA LEVEL 4
HOSPITAL

REF. JACOB NJUE NYAGA.

The above mentioned person has reported a case of assault vide OB 22/08/06/2020 at about 1815 hrs and complains of injuries on the back/stomach and please attend him so as to be able to seek justice and arrest the suspect. Thanks in advance.

~~Attempt~~ for OCS

Officer in Charge
ISHIARA POLICE
P.O. BOX 210
SIAKAGO

THE KENYA POLICE

P 3

MEDICAL EXAMINATION REPORT

PART I—(*To be completed by Police Officer requesting examination*)

From ISHIARA POLICE STATION Ref. OB 22

P.O. BOX 210 SIAKAGO Date 08/06/2020

To the M.O.H Hospital/Dispensary.

I have to request the favour of your examination of:—

Name JACOB NJUE NYAGA Age 64 YEARS (if known)

Address P.O. BOX 74 Date and time of alleged offence

ISHIARA 08/06/2020 AT 1500 hr.

Sent to you/hospital on the 09TH JUNE, 2020 under escort of

SELF and of your furnishing me with a report of the nature and extent of bodily injury sustained by him/her.

Date and time reported to police 08/06/2020 AT 18:15 hr.

Brief details of alleged offence The complainant was grazing his goats when he was attacked by people known to him.

Officer in Charge
ISHIARA POLICE
P.O. BOX 210
SIAKAGO.

Signature of Police Officer

PART II—MEDICAL DETAILS—(*To be completed by Medical Officer or Practitioner carrying out examination*)

(*Please type four copies from the original manuscript*)

SECTION "A"—THIS SECTION MUST BE COMPLETED IN ALL EXAMINATIONS

Medical Officer's Ref. No. 2414/20

1. State of clothing including presence of tears, stains (wet or dry) blood, etc.

Dusty & Soily c̄ small bloody spot of the left shoulder

2. General medical history (including details relevant to offence)

Allegedly with assume - Sustained injury through beating with bars, blows, pangas - flat.

3. General physical examination (including general appearance, use of drugs or alcohol and demeanour)

Stable pt.

SECTION "B"—TO BE COMPLETED IN ALL CASES OF ASSAULT, INCLUDING SEXUAL ASSAULTS, AFTER THE COMPLETION OF SECTION "A"

1. Details of site, situation, shape and depth of injuries sustained:—

(a) Head and neck NAD

(b) Thorax and abdomen — Back — General bruising from the shoulder to the hip
— Bruised left upper shoulder. / obvious swellings noted

(c) Upper limbs NAD

(d) Lower limbs NAD obvious swelling of the left limb — above knee with swelling + tender to touch

2. Approximate age of injuries (hours, days, weeks)

2 hours

3. Probable type of weapon(s) causing injury

Blunt

4. Treatment, if any, received prior to examination Mg ee, mg Tred phanol, Amplex Diatomed

5. What were the immediate clinical results of the injury sustained and the assessed degree, i.e. "harm", "maim", or "grevious harm".*

Harm

*DEFINITIONS—

"Harm" means any bodily hurt, disease or disorder whether permanent or temporary.

"Maim" means the destruction or permanent disabling of any external or internal organ, member or sense.

"Grevious Harm" means any harm which amounts to maim, or endangers life, or seriously or permanently injures health or which is likely so to injure health, or which extends to permanent disfigurement, or to any permanent or serious injury to any external or internal organ.

CHEST & SKIN CO... ...SHIARA
09 JUN 2020
P.O. Box 21 - 60...

Signature of Medical Officer/Practitioner

Date 9/6/2020

SECTION "C" – TO BE COMPLETED IN ALLEGED SEXUAL OFFENCES AFTER THE COMPLETION OF SECTIONS "A" AND "B"

1. Nature of offence ..... Estimated age of person examined .....

2. FEMALE COMPLAINANT

(*a*) Describe in detail the physical state of and any injuries to genitalia with especial reference to labia majora, labia minora, vagina and cervix and conclusion .....

.....

.....

(*b*) Note presence of discharge, blood or venereal infection, from genitalia or on body externally

.....

.....

.....

3. MALE COMPLAINANT

(a) Describe in detail the physical state of and any injuries to genitalia .....

.....

.....

(b) Describe in detail injuries to anus .....

.....

.....

(c) Note presence of discharge around anus, on thighs, etc; whether recent or of long standing

.....

.....

4. MALE ACCUSED OF ANY SEXUAL OFFENCE

(*a*) Describe in detail the physical state of and any injuries to genitalia especially penis .....

.....

.....

.....

(*b*) Describe in detail any injuries around anus and whether recent or of long standing .....

.....

.....

5. Details of specimens or smears collected in examinations 2, 3, or 4 of Section "C" including public hairs and vaginal hairs .....

.....

.....

6. Any additional remarks by the doctor .....

.....

.....

.....

.....

Signature of Medical Officer/Practitioner

Date .....

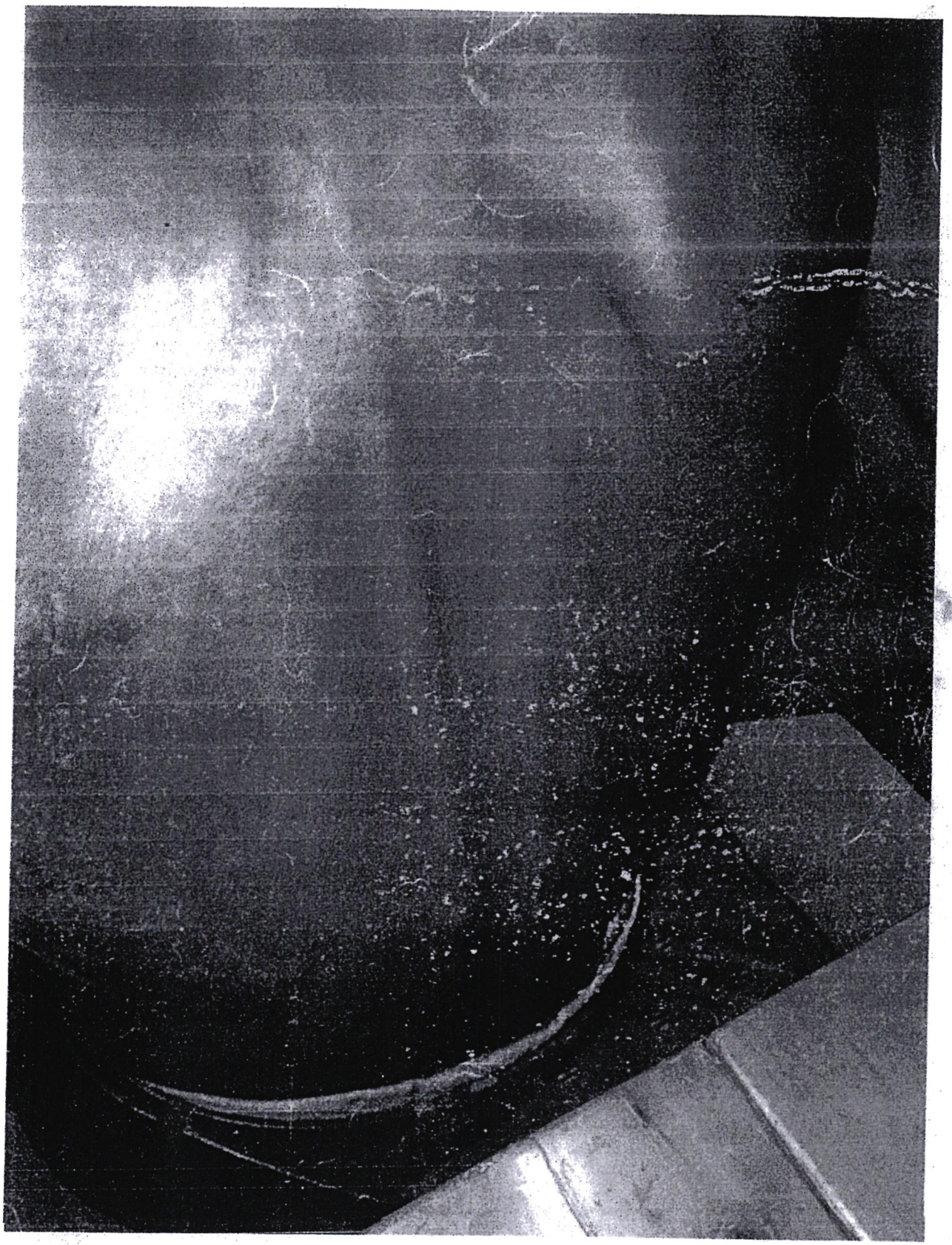
CHEST AND SKIN CLINIC

Bongo Building, Ishiara Market
P.O. Box 21– 60102 Ishiara
0721 427 483

Op.No. 2414/20 Date: 8/6/20

Name: Jacob Nyue Moo

Always carry this card for the next visit



James Mutegi Nyaga-075822239
Jacob Njue -0712040751
Zakaria Ndwiga -0729845016
David Nyaga -0708892486
Luka Kanyi -0748639784
William Ndwiga -0714900992
John Njue -0711756003
SIAKAGO

John Murithi -0711587985
Jackson Gitonga -0704128542
Regina Karimi -0799098985
Peterson Mwangangi-0712793706
Bancy Wanga -0717537771
Peterson Simba -0720525989
SIAKAGO

Siloam Counseling and Medication Cent
Mwalimu Co-operative House
6th Floor, Room No. 609
P.O. Box 59872-00200
NAIROBI

Tel. 0721 790 864/0733 555474
Email:mwirigifk@yahoo.com
28th February, 2022

RE: NOTICE OF MEDIATION SESSION: CASE NO. 262 OF 2017

REF: SIAK/MED/011/ 2022: CASE TYPE: CIVIL/MISC. CASE: JAMES MUTEGI NYAGA VERSUS JOHN MURITHI & OTHERS

Reference is made to the above subject.

My name is Faith Kanana Mwirigi, a mediator assigned to the above case.

I wish to invite the parties involved in the above case for **a mediation session on 4th March, 2022 at 11 Am at Siakago Law Court.** Kindly ensure that you attend the session in order to conclude this matter.

When you attend the mediation session, you should bring with you any documents that you consider of importance in the action. You should plan to remain in the session throughout the scheduled time. If you need another person's approval before agreeing to a settlement, you should make arrangements before the mediation session to ensure you have ready access to that person throughout the session even outside regular hours.

The purpose of this letter is therefore to request you to provide a brief summary of the case highlighting the issues in dispute before that date.

With kind regards,

Yours sincerely,

FAITH K. MWIRIGI
APPOINTED CASE MEDIATOR

COPY TO:
Mediation Deputy Registrar
Court Annexed Mediation
Siakago Law Courts

Summons to Enter Appearance
O.V.r.1

CIVIL 1B

REPUBLIC OF KENYA
IN THE PRINCIPAL MAGISTRATE'S COURT AT SIAKAGO
MCL & E NO.53 OF 2020

PETERSON MWANGANGI NJERU .....PLAINTIFF

VERSUS

JAMES NDWIGA NYAGA .....DEFENDANT

To:
JAMES NDWIGA NYAGA
P.O BOX 33
SIAKAGO

WHEREAS the above-named Plaintiff has instituted a suit against you upon the claim, the particulars of which are set out in the copy plaint with annexure attached hereto.

YOU ARE HEREBY required within .....15.....days from the date of the service hereof to enter an appearance in the said suit.

Should you fail to enter an appearance within the time mentioned above, the Plaintiff may proceed with the suit and judgment may be given in your absence.

Given and issued under my hand and the Seal of Court this ...18th.....day of .....August.....2020.

.....
Magistrate/Executive Officer
Or Officer appointed under O.IV. Rule 3(2)

IMPORTANT NOTICE

(1) You may appear in this suit by entering an appearance either personally or by duly appointed advocate at ..... **PRINCIPAL MAGISTRATE**.....Appearance can be entered by filing with the Court Memo. Of Appearance (forms are obtainable from Court at 30 cents each) in duplicate, showing the defendant's address for service. A copy of Memo. Of Appearance should also be sent to the Plaintiff or his advocate, if any.

You may enter an appearance through the Post sending the following to the .....**SNR PRINCIPAL**..... Magistrate (Civil), P.O. Box ...**93, SIAKAGO**.....

(i) Memorandum of Appearance and a copy.
(ii) Notice of Appearance and a copy.
(iii) Two envelopes each sufficiently stamped; one addressed to the Plaintiff or his advocate at the address for service and the other addressed to yourself.

(2) If you admit the claim the total sum now due is:

Sum claimed in plaint	Sh. AS PER THE PLAINT
Advocate's cost	Sh. .....
Court fees	Sh. .....
Court collection fee	Sh. .....
TOTAL ...	Sh. AS PER THE PLAINT

(3) If payment is made direct to the Plaintiff no Court Collection fee is payable. Cheques cannot be accepted. Remittance must be by coin, bank-notes or postal orders.

(4) This summons is valid for 12 months from the date of issue.

IP I.O

I have received copies of the summons and the plaint of this .....day

of ..... .20.....at .....o'clock.

....

Signature of Recipient

AFFIDAVIT OF SERVICE

I, ...a

Process Server of this Court make oath/affirm and say as follows:

The said Defendant .....

Was at the time personally known to me, and I served summons on his/her on the

.....day of .....20.....at about

.....o'clock

in the .....noon at .....by tendering a copy therefore to him/her and requiring his/her signature on the principal.

.....

Deponent

Sworn/Affirmed by the said

..... at

.....this .....day of .....20.....

Before me

.....

Magistrate

REPUBLIC OF KENYA

IN THE PRINCIPAL MAGISTRATE'S COURT AT SIAKAGO

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VERSUS

JAMES NDWIGA NYAGA .....DEFENDANT

PRINCIPAL MAGISTRATE'S COURT
18 AUG 2020
RECEIVED
P.O. BOX 33-60304, SIAKAGO

"FAST TRACK"

PLAINT

1. **THAT** the Plaintiff is an adult male of sound mind residing and working for gain at Embu county and her address of service for the purpose of this suit shall be care of P.O. Box 33, ISHIARA.

2. **THAT** the defendant is an adult male of sound mind, residing and working for gain within Embu County and his address of service for the purpose of this suit shall be P.O. BOX 33, ISHIARA.

3. **THAT** at all material times the Plaintiff is the Registered owner of Land Parcel Number EMBU/KAMARANDI/1237.

4. **THAT** the Defendant has unlawfully and without any justification entered into the aforesaid parcel of land and have occupied and continues to occupy the same without any justification, permission or authorization from the plaintiff.

5. **THAT** the Plaintiff has on numerous occasions requested the Defendant to vacate the suit property and have sent demand letters to the defendant to vacate but he has declined and or otherwise refused to heed to the Plaintiff's demands.

6. **THAT** the defendant's continued presence and occupation of the suit land constitutes trespass and the same is occasioning loss, damage and prejudice to the Plaintiffs.

   PARTICULARS OF TRESPASS:

   a. Invading the suit property without lawful authority or jurisdiction.
   b. Cultivating and/or plouging the land without the Plaintiff's consent
   c. Refusing to heed to the Plaintiffs' demands to vacate. **THAT** by reason of the foregoing, the Defendant intends unless restrained and lawfully evicted an order of this Honourable Court, to continue or remain in wrongful occupation of the suit property and/or trespass thereto.

7. **THAT** the Plaintiff avers that there is no other suit pending and that they have no previous proceedings in any Court between the Plaintiff and the defendant in respect of the subject matter of this suit and the cause of action herein relates to the Plaintiff as named in the Plaint.

8. **THAT** despite written demands and notice to sue in default having been issued to the Defendant, the Defendant has refused, neglected and/or otherwise failed to vacate the suit property.

9. **THAT** the cause of action arose within the jurisdiction of this Honourable Court.

REASONS WHEREFORE: The Plaintiff prays for judgment against the Defendants for:-

a) An Eviction Order directed to the defendant, his employees, servants and/or agents and/or all those claiming under him from ... Reference Number EMBU/KAMARANDI/1237.

b) That the O.C.S SIAKAGO POLICE STATION to provide security during the Eviction exercise on Land Parcel No. EMBU/KAMARANDI/1237..

c) Any further relief which this Honorable Court may find it just and expedient to grant.

DATED at Siakago this 15th day of August 2020

.....
PETERSON MWANGANGI NJERU
PLAINTIFF

DRAWN & FILED BY:
PETERSON MWANGANGI NJERU
P.O. BOX 33,
ISHIARA

TO BE SERVED UPON:
JAMES NDWIGA NYAGA
P.O. BOX 33,
ISHIARA

REPUBLIC OF KENYA

IN THE PRINCIPAL MAGISTRATE'S COURT AT SIAKAGO

MCL &E CASE NO. 53 OF 2020

18 AUG 2020

PETERSON MWANGANGI NJERU .....P.O....PLAINTIFF

VERSUS

JAMES NDWIGA NYAGA .....DEFENDANT

VERIFYING AFFIDAVIT.

I, PETERSON MWANGANGI NJERU both of Post Office Box 33, ISHIARA do hereby make oath and state as follows: -

1. **THAT** I am the above named adult of sound mind hence competent to swear this Affidavit.
2. **THAT** I am the Plaintiff herein.
3. **THAT** the averment contained in my Plaint are all correct.
4. **THAT** what we have deponed to here is true to the best of my knowledge, information and belief.

SWORN at Siakago this 18th day of August 2020

BEFORE ME

VICTOR L. ANDANDE
Advocate & Commissioner
For Oaths
P.O Box 2695 - 60100
Embu

)
)
) DEPONENT
)
)
)

MAGISTRATE/COMMISSIONER FOR OATHS)

DRAWN & FILED BY:
PETERSON MWANGANGI NJERU
P.O. BOX 33,
ISHIARA

TO BE SERVED UPON:
JAMES NDWIGA NYAGA
P.O. BOX 33,
ISHIARA

REPUBLIC OF KENYA

IN THE PRINCIPAL MAGISTRATE'S COURT AT SIAKAGO

MCL &E CASE NO. 53 OF 2020

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PETERSON MWANGANGI NJERU .....PLAINTIFF

VERSUS

JAMES NDWIGA NYAGA .....DEFENDANT

PLAINTIFF'S STATEMENT

I, PETERSON MWANGANGI NJERU of Post Office Box Number 33 ISHIARA do wish to state as follows: -

That I am the duly registered and legal Owner of all that piece of Land known as EMBU/KAMARANDI/1237.

That Defendant has unlawfully and without any jurisdiction entered into my parcel of land and has occupied the same without my permission or authorization. I have on numerous occasions requested the Defendant to vacate the suit property and have sent demand letters to the defendant to vacate but he has declined and/or otherwise refused to heed to my demands. The Defendant's continued presence and occupation of the suit land constitutes trespass and the same is occasioning loss, damage and prejudice to me. Given that the Defendant has declined to heed to my demands it is clear that she intends, unless restrained and lawfully evicted by an order of this Honorable Court, to continue or remain in wrongful occupation of the suit property and/or trespass thereto. We therefore pray for an Eviction Order directed to her, her employees, servants and/or agents and/or all those claiming under her from Land reference EMBU/KAMARANDI/1237...

DATED at Siakago this 18th day of August 2020

.....

PETERSON MWANGANGI NJERU

PLAINTIFF

DRAWN & FILED BY:

PETERSON MWANGANGI NJERU

P.O. BOX 33,

ISHIARA

TO BE SERVED UPON:

JAMES NDWIGA NYAGA

P.O. BOX 33,

ISHIARA

REPUBLIC OF KENYA

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SIAKAGO LAW COURT
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PLAINTIFF'S LIST OF DOCUMENTS

The Plaintiff shall rely on the following documents at hearing of this suit.

1. Copy of Certificate of Official Search for L.P Number EMBU/KAMARANDI/1237.
2. Copy of Title Deed for Land Parcel No. EMBU/KAMARANDI/1237.

DATED at Siakago this 18th day of August 2020

.....
PETERSON MWANGANGI NJERU
PLAINTIFF

DRAWN & FILED BY:
PETERSON MWANGANGI NJERU
P.O. BOX 33,
ISHIARA

TO BE SERVED UPON:
JAMES NDWIGA NYAGA
P.O. BOX 33,
ISHIARA

REPUBLIC OF KENYA

THE LAND REGISTRATION ACT

(No. 3 of 2012, section 108)

THE REGISTERED LAND ACT

(Chapter 300) (REPEALED)

PRINCIPAL MAGISTRATE
SIAKAGO LAW COURT
18 AUG 2020
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P.O. Box [illegible], SIAKAGO

Title Deed

Title Number: [illegible]/1237

Approximate Area: 10.0 HA.

Registry Map Sheet No. 39

This is to certify that PETERSON [illegible]

[illegible] registered as the absolute proprietor(s) of the land [illegible] in the above-mentioned title, subject to the entries in [illegible] relating to the land and to such of the overriding [illegible] in section 28 of the Land Registration Act (No. 3 [illegible] the same being subsist and affect the land.

[illegible] and the seal of the [illegible] Land Registry

AI | SHOT ON
SMART 3 PLUS

PART A—PROPERTY SECTION

1237

10.0

30

SUBDIVISION OF 554 PART B—PROPRIETORSHIP SECTION

2	12/11/18	PETERSON MWANGANGI	NJERU	ID/24829785	
3	14/11/18	TITLE	DEED	ISSUED	

REPUBLIC OF KENYA

THE LAND REGISTRATION ACT

(No. [illegible] section 108)

THE REGISTERED LAND ACT

Title Deed

AI | SHOT ON

SIANAGU LAW COURT
18 AUG 2020
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P.O. BOX

SUBMISSION TO THE SENATE STANDING COMMITTEEON LAND, ENVIROMENT AND NATURAL RESOURCES DURING THE CONSIDERATION OF A PUBLIC PETION REGARDING PLIGHT OF THE LANDLESS IN MUTHANTHARA SUB LOCATION,MBEERE NORTH IN EMBU COUNTY

1. Honorable Chairperson of the committee members, ladies and gentlemen, I greet you all,

   It is my privilege and honour to stand before you together with the Muthanthara nine clan's representatives and present my submission to you. I wish from the onset to affirm that all what is deponed herein is true to the best of my knowledge, information and belief.

2. **Hon. Chairperson**

   I am glad the tribulations and plight of Muthanthara residents who are facing forceful eviction by the people who claim to own the land parcels they currently occupy is now in public domain. The legitimate hope of Muthanthara residents is to get registration documents for the pieces of land they have occupied since 1960s and be issued with Title Deeds after the demarcation process.

3. **Hon.Chairperson**

   Land fraud in Muthanthara was perpetrated by fraudsters working in cahoots with corrupt public officials in Embu which culminated in fraudulent issuance of title deeds to undeserving persons to the detriment of the Tharaka Minority community. Secondly the invasion of our land took place in the seventies, when the Senior Administrative Officer in that time unleashed violence to Tharaka minority community living in Muthanthara area ordering them to go back to Tharaka Nithi, then called Meru District. The Community approached the Ministry of Lands and settlement in Embu (evidence letters enclosed) as well as the Local Administration from location level up to the Provincial Commissioner's level with our plight remaining unresolved.

4. **Hon.Chairperson**

The Tharaka Community has lived in the area for more than 100 years, they don't have any other place to call home. We presented our complaints to the District Officer, District Commissioner, Criminal Investigation Department, District Land Registrar, Ministry of Lands and Settlement Embu, The Provincial Commissioner Eastern Province, Members of Parliament representing the constituency, The Minister for Lands and settlement headquarters that time with no resolution forthcoming.

5. **Hon.Chairperson**

In 1993 clashes erupted between Mbeere and Tharaka Communities after having coexisted peacefully for decades. Security agencies in Eastern Province did nothing even after letters were written to them after the deadly clashes. Visits by Tharaka Elders to various Government agencies yielded nothing. The Muthanthara Community has endured decades of maladministration and discrimination. Through this petition, we hereby humbly request the fact finding through this committee of the senate of the Republic of Kenya be expedited so as to establish the truth regarding the real ownership status of the land in question. Conclusive resolution of this matter will not only entrench peaceful coexistence and tranquility but also secure and protect the Tharaka Minority Community from harassment and intimidation by third parties.

6. **Hon.Chairperson**

We request the Government to impartially enforce the law to get rid of all organized criminal fraudsters that are terrorizing the minority Tharaka community in Muthanthara sub-location Kamarandi location, Mbeere North in Embu County. We appeal to the Ministry of Lands and settlement to initiate the process of declaring Muthanthara an adjudication area.

7. **Hon.Chairperson**

We remain aware that there are Government Officials who were involved in fraudulent issuance of title Deeds to the people who don't even know the area of Muthanthara Sub Location, Kamarandi location, Mbeere North in Embu County. Our prayer is that this Senate standing committee on Land, Environment and Natural Resources hears our plea and make orders they deems fit for our legitimate right to own land is realized. We pray that the land we have called home for decades is adjudicated, registered and that the Minority Tharaka community is issued with title deeds as testament for the land ownership.

Presented by;
Spokesman for Muthanthara
Nine Clans Committee.



PETER KANGWARU NYAGA
EMAIL: nyagapeter028@gmail.com
Phone : 0721 886 839/0736590135

I wish to bring to your attention this Hon. Chair Person that Tharaka Community herein referred to as the Minority group living in Mbeere North Sub-County,Evurore ward,Kamaranchi Location, Muthanthara Sub-location at the border of Tharaka Nithi County lived in the area since 1901.We were living in the area as one of the smallest tribe in the region as farmers and livestock keepers for the last 100 years.

Now came 1972 by then chief Mr. Maguu Mutie carried land survey and demarcation in the area, who appointed the land committee of Tharaka tribe of ten members as follows:-

1. Njengu Thiora
2. Nthiga M'Ngoci
3. Mbiiri Nthombore
4. Kibui Mangaku
5. Withauka Magane
6. Ntomboro Choria
7. Njeru Kithinji
8. Kiriambogo Ngechu
9. Kimundu Njeru Makunyi
10. Ngochi M'Kimake

To oversee the demarcation as it was to be allocated to their community members then the chief dumped the Tharaka tribe record after full survey was carried out in the area, who later did not issue title deeds to Tharaka Community who were living in the land our ancestors despite the fact that he had assured them for but when the title deeds were out the camoe to learn after some years that the foreigners benefited with the rightful ownership documents (title deeds).

The then chief Mr. Maguu Mutie held a meeting on 21st August 1975 whereby he ordered all the Tharaka Community to vacate the area by giving them verbal seven days notice. On 31st of August 1975, the then chief Mr. Maguu Mutie came during the mid-night with administration police officer armed with guns and rungus and beaten up some people from Tharaka community badly thereafter inflicting some injuries and deaths to the minority group. This was reported to Runyenjees police station on 2/9/1975.

After realizing there controversies, we Tharaka community through our elders met and draw several complaints letters to different agencies which were never responded to .After these complaints were plainly heard, the District commissioner sent Do to Muthanthara Area and cautioned the Mbeere group to stop violating and threatening the live of other tribe who had lived in the area for so long.

This threats were supported /sponsored by the foreigners who acquired title deeds in the areas cheating Mbeere community that the land title belong to them (tribe of Mbeere) and many the these foreigners were land survey clerks and an officer who owns more than three parcels of land in Muthanthara in 1972 without the knowledge of Tharaka land committee and community at large.

By acquisition of these parcels by foreigners we suspected that the then chief used this foreigners to grab the land of our ancestors without knowledge by abandon all the members,Tharaka people from the land register that was used after demarcation without his knowledge that he had submitted the Tharaka land committee list to land registry in Nairobi because none of the Tharaka community was given mandate to oversee the land register because of "chief's order''

After following it up we came to realize that the land problem has been influenced by the then chief Maguu Mutie who later went to an extent of assisting the

foreigners acquire title deeds from Muthanthara land where the owner we Tharaka people left to cry without support.

Our request to this honourable chair is requested to intervene and possibly assist us to have remedies for this historical land injustices are suffering from and recover our ancestral land ownership by finding the lasting solution as well as all putting off the use and ownership of their title deeds owned by foreigners who are still using the recent chief/administration officer to threatened the community as there could being clashes between Mbeere and Tharaka Community.