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you may approve,
amplified
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REPUBLIC OF KENYA

Approved
SNA
18/6/24

THIRTEENTH PARLIAMENT (THIRD SESSION)
THE NATIONAL ASSEMBLY

PUBLIC PETITION

(No. 9 of 2024)

**REGARDING LAND OWNERSHIP DISPUTE OF LAND PARCEL L.R.
NO. 209/11970 - DANDORA/MOWLEM, AREA, KANGUNDO ROAD,
NAIROBI IN EMBAKASI WEST CONSTITUENCY**

I, the **undersigned**, on behalf of the residents of Embakasi West Constituency who are the Members of Amani Self-Help Group;

DRAW the attention of the House to the following: -

1. **THAT**, the undersigned Members and their families have been residing Dandora/Mowlem, Area, Kangundo Road, Nairobi in Embakasi West Constituency in Land Parcel L.R. No. 209/11970 since the year 2000;
2. **THAT**, initial Survey details had indications that the same was designated as Public Land; hence lacking a title till one was allegedly processed and issued on 15th October 2010;
3. **THAT**, the members who initially were 74 are now a large and enterprising Community of over 260 residents;
4. **THAT**, the Members have constructed permanent houses and shopping centers on the land parcel including social amenities, including schools, with electricity and water connectivity;
5. **THAT**, the subject land is now being claimed by a Mr. Charles Munene Gatimu and a Ms Catherine Karegi Kamanja who proceeded to secure a Grant on 15th October, 2010;
6. **THAT**, Mr. Charles Munene Gatimu previously served as a Senior Demolition Officer with the defunct City Council of Nairobi; while Ms Catherine Karegi Kamanja's husband was a Senior Officer at the Survey of Kenya, with Ms Catherine Karegi Kamanja working with the then Ministry of Lands, Nairobi;
7. **THAT**, the circumstances under which the two Mr. Charles Munene Gatimu and Mrs Catherine Karegi Kamanja obtained the said Grant excluding Charles Karegi Kamanja, whose name was on the subject Letter Allotment issued on 20th July, 1993 have not been explained;

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8. **THAT**, the Department of Lands in Nairobi issued out two Letters of Allotment: one to Charles Arap Sigei, Charles Menene Gatimu, and Catherine Kamanja; Department of Lands;
9. **THAT**, these persons used their positions to illegally register themselves as the owners of the said property;
10. **THAT**, a similar Letter of Allotment was issued by the said Department of Lands to Amani Self-Help Group for an UNS-Residential Plot;
11. **THAT**, it is unclear how a Title/Grant could be processed when the members of the said Amani Self-Help Group were on the subject land parcel;
12. **THAT**, the Title/Grant for the subject land parcel L.R. 209/11970 was signed by the then Zablon Agwata Mabeya on 15th October, 2010 when the members of Amani Self-Help Group had been in occupation for over Ten Years;
13. **THAT**, on 4th February, 2009 Mr. Charles Munene Gatimu alone swore an Affidavit accompanied with a letter to the Director of Surveys claiming that he had lost the Deed Plan No. 176452 for land Parcel L.R. No. 209/11970;
14. **THAT**, in response to the said letter a Licensed Surveyor Mrs Rukuku Omalla advised the Director of Surveys Nairobi to issue a certified copy of the said Deed Plan and release the same to Arch Surveys by letter dated 12th January, 2009;
15. **THAT**, efforts by Amani Sel-Help Group to access the Correspondence File (CF) from either the Chief Land Registration Officer, Nairobi or the Director Land Administration has been futile;
16. **THAT**, the initial land parcels surrounding the subject Grant L.R. No. 209/9611 have registration numbers with Four digits while L.R. No. 209/11970 has Five Digits a confirmation that the said title/ Grant could have been superimposed in the area to secure a title which has got no records;
17. **THAT**, it is incumbent upon the Lands Ministry Officials to table clarification as to whether due process was followed in the processing of the Grant for L.R. No. 209/11970;
18. **THAT**, the Cabinet Secretary of Lands through the Land Ministry officials makes available the Letter of application for allocation of the land by Charles Arap Sigei, Charles Munene Gatimu, and Catherine Kamanja; and the respective approvals: and any premium payment;

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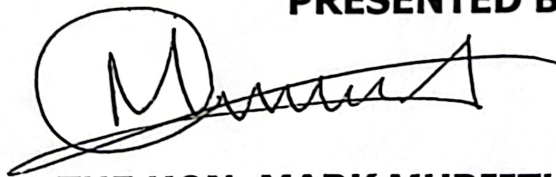
- 19. THAT**, efforts to resolve the matter with the relevant Ministry and Agencies have been futile; and
- 20. THAT**, the issues in respect of which this Petition is made are not pending before any Court of Law, Constitutional or Statutory body.

THEREFORE, your humble petitioners pray that the National Assembly, through the Public Petitions Committee;

- i) Establishes the status of ownership of Parcel of Land, L.R. No. 209/11970 in Dandora/Mowlem Area, Kangundo Road, Nairobi in Embakasi West Constituency *vis-a-vis* the allegedly illegally acquired Title Deed held by the private developers;
- ii) Intervenes to have the Government through the Ministry of Lands and Physical Planning to avail or table all legal documents in regard to ownership of Parcel of Land, L.R. No. 209/11970 in Dandora/Mowlem Area, Kangundo Road, Nairobi in Embakasi West Constituency; and,
- iii) Makes any other order or direction that it deems fit in the circumstances of this matter.

And your **PETITIONERS** will ever pray.

PRESENTED BY: -



**THE HON. MARK MURIITHI MWENJE, MP
MEMBER FOR EMBAKASI WEST CONSTITUENCY**

DATE: ...12/6/24.....