



*Approved*  
*SNA*  
*28/5/26.*

REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – FIFTH SESSION – 2026

PUBLIC PETITIONS COMMITTEE



REPORT ON-

CONSIDERATION OF PUBLIC PETITION NO. 9 OF 2024 BY AMANI SELF HELP GROUP, REGARDING OWNERSHIP DISPUTE OF LAND PARCEL L.R. NO. 209-11970 – DANDORA/MOWLEM, AREA, KANGUNDO ROAD IN EMBAKASI WEST CONSTITUENCY

<b>THE NATIONAL ASSEMBLY PAPERS LAID</b>	
DATE: 28 MAY 2026	DAY: Thursday
TABLED BY:	Hon. Maisari Marwa, MP Member, Public Petitions Committee
CLERK-AT THE-TABLE:	Irene Nduku

Directorate of Audit Appropriations &  
General-Purpose Committees  
Clerk's Chambers  
Main Parliament Buildings  
NAIROBI

MAY, 2026

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## **CHAIRPERSON'S FOREWORD**

On behalf of the Public Petitions Committee and pursuant to the provisions of Standing Order 227, it is my pleasant privilege and honour to present to this House the Report of the Committee on the Public Petition No. 9 of 2024 regarding ownership dispute of land parcel L.R. No. 209- 11970 – Dandora/Mowlem, area, Kangundo road, Nairobi in Embakasi West Constituency. The petition was presented to the House pursuant to Standing Order No. 225 (2) (a) by Mark Mwenje, MP, on behalf of Members of Amani Selfhelp Group.

The Petitioners prayed that the National Assembly, through the Public Petitions Committee, ensure that—

- i) Establish 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.
- iii) Makes any other order or direction that it deems fit in the circumstances of this matter.

In considering the petition, the Committee engaged with the Petitioners and the Cabinet Secretary of the Ministry of Lands, Public Works, Housing and Urban Development.

The Committee observed that the matter had been sufficiently adjudicated in court.

The Committee appreciates the Offices of the Speaker and Clerk of the National Assembly for providing guidance and necessary technical support, without which its work would not have been possible. The Chairperson expresses gratitude to the Committee Members for their devotion and commitment to duty during the consideration of the Petition.

On behalf of the Committee and pursuant to the provisions of Standing Order 199, I now wish to lay the Report on the Table of the House.

**HON. MUCHANGI KAREMBA, CBS, M.P.**

**CHAIRPERSON, PUBLIC PETITIONS COMMITTEE**

## **PART ONE**

### **1. PREFACE**

#### **1.1 Establishment and Mandate of the Committee**

The Public Petitions Committee was established under the provisions of Standing Order 208A with the following terms of reference:

- i) considering all public petitions tabled in the House;
- ii) making such recommendations as may be appropriate with respect to the prayers sought in the petitions;
- iii) recommending whether the findings arising from consideration of a petition should be debated; and
- iv) advising the House and reporting on all public petitions committed to it.

## 1.2 Committee Membership

The Public Petitions Committee was constituted in October 2022 and comprises the following Members:

### Chairperson

Hon. Muchangi Karemba, CBS, M.P.  
Runyenjes Constituency

**United Democratic Alliance (UDA)**

### Vice Chairperson

Hon. Janet Jepkemboi Sitienei, M.P.  
Turbo Constituency

**United Democratic Alliance (UDA)**

Hon. Patrick Makau King'ola, M.P.  
Mavoko Constituency

**Wiper Democratic Movement-Kenya  
(WDM-K)**

Hon. Edith Vethi Nyenze, M.P.  
Kitui West Constituency

**Wiper Democratic Movement-Kenya (WDM-  
K)**

Hon. Ntwiga Patrick Munene, M.P.  
Chuka Igambang'ombe Constituency

**United Democratic Alliance (UDA)**

Hon. Maisori Marwa Kitayama, M.P.  
Kuria East Constituency

**United Democratic Alliance (UDA)**

Hon. Joshua Chepyegon Kandie, M.P.  
Baringo Central Constituency

**United Democratic Alliance (UDA)**

Hon. Beatrice Kadeveresia Elachi, M.P.  
Dagoretti North Constituency

**Orange Democratic Movement (ODM)**

Hon. Bernard Muriuki Nebart, M.P.  
Mbeere South Constituency

**Independent**

Hon. Biego Paul Kibichy, M.P.  
Chesumei

**United Democratic Alliance (UDA)**

Hon. Peter Irungu Kihungi, M.P.  
Kangema Constituency

**Maendeleo Chap Chap Party (MCCP)**

Hon. John Bwire Okano, M.P.  
Taveta Constituency

**Wiper Democratic Movement-Kenya (WDM-  
K)**

Hon. Peter Mbogho Shake, M.P.  
Mwatate Constituency

**Jubilee Party (JP)**

Hon. Sloya Clement Logova, M.P.  
Sabatia Constituency

**United Democratic Alliance (UDA)**

Hon. Suzanne Ndunge Kiamba, M.P.  
Makueni Constituency

**Wiper Democratic Movement-Kenya  
(WDM-K)**

### **1.3 Committee Secretariat**

The Public Petitions Committee is facilitated by the following members of the secretariat:

#### **Lead Clerk**

Mr. Victor Weke

#### **Principal Clerk Assistant II**

Ms. Miriam Modo

**First Clerk Assistant**

Mr. Benard Toroitich

**Third Clerk Assistant**

Ms. Kafuyai Wamae

**Third Clerk Assistant**

Mr. Clinton Sindiga

**Legal Counsel II**

Ms. Nancy Akinyi

**Research Officer III**

Mr. Arkan Mumin

**Research Officer III**

Ms. Roselyne Njuki

**Principal Serjeant-at-Arms**

Mr. Paul Shana

**Serjeant-at-Arms**

Mr. Pascal Valerian

**Hansard Officer III**

Mr. Collins Mahamba

**Audio Officer III**

Ms. Felistus Muiya

**Public Communication Officer**

Ms. Fridah Ngari

**Media Relations Officer III**

## PART TWO

### 2. BACKGROUND OF THE PETITION

#### 2.1 Introduction

1. Public Petition No. 9 of 2024, regarding the ownership dispute of land parcel L.R. No. 209-11970 – Dandora/Mowlem, area, Kangundo road, Nairobi in Embakasi West Constituency, presented to the House pursuant to Standing Order No. 225 (2) (a) on 19<sup>th</sup> June, 2024, by the Hon. Mark Mwenje, MP, on behalf of Members of Amani Self-help Group.
2. The petitioners stated that their families have been residing in Dandora/Mowlem, area, Kangundo Road, in the Embakasi West Constituency, on land parcel L.R. No. 209/11970 since 2000.
3. They also stated that the initial survey details indicated that the parcel was designated as public land, hence lacking a title until one was allegedly processed and issued on 15th October, 2010. The members, who were initially 74, have grown into a large and enterprising community of over 260 residents.
4. The members constructed permanent houses and shopping centres on the land parcel, including social amenities, such as schools, with electricity and water connectivity.
5. They further submitted that the subject land was 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. Further, the Department of Lands in Nairobi issued two Letters of Allotment: one to Charles Arap Sigei, Charles Menene Gatimu, and Catherine Kamanja and another to Amani Self-Help Group.
6. The petitioners further stated that on 4th February, 2009 Mr. Charles Munene Gatimu swore an Affidavit accompanied by 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.
7. In response to the said letter, a Licensed Surveyor Mrs. Rukuku Omalla requested the Director of Surveys to issue a certified copy of the said Deed Plan and release the same to Arch Surveys vide a letter dated 12th January, 2009.
8. Efforts by Amani Self-Help Group to access the Correspondence File (CF) from either the Chief Land Registrar or the Director of Land Administration have been futile.
9. They claimed that the initial land parcels surrounding the subject Grant L.R. No. 209/9611 have four-digit registration numbers, while L.R. No. 209/11970 has five digits, which confirms that the said title/Grant could have been superimposed in the area to secure a title with no records.
10. The petitioners argued that it was incumbent upon the Lands Ministry Officials to clarify whether due process was followed in the processing of the Grant for L.R. No. 209/11970.
11. They requested that the Committee ensure that the Cabinet Secretary makes available the letter of application for the allocation of land by Charles Arap Sigei, Charles Munene Gatimu, and Catherine Kamanja, the respective approvals, and any premium payment made.

12. They further stated that efforts to resolve the matter with the Ministry and other relevant agencies have been futile, and the issues in respect of which this Petition is made are not pending before any Court of Law, Constitutional or Statutory body

## **2.2 Petitioners' Prayers**

13. The Petitioners prayed that the National Assembly, through the Public Petitions Committee, ensures that—
  - 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 Public Works, Housing and Urban Development, 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.

## PART THREE

### 3 STAKEHOLDERS' SUBMISSIONS ON THE PETITION

#### 3.1 The Petitioners

14. The petitioners appeared before the Committee and submitted as follows —

- i) The Petitioners have been residing in Dandora/Mowlem, Area, Kangundo Road, Nairobi, in Embakasi West Constituency in Land Parcel L.R. No. 209/11970 since the year 2000;
- ii) The initial survey details indicated that the land was designated as public land; hence, it lacked a title until one was allegedly processed and issued on 15th October 2010.
- iii) The members initially were 74, but are now a large and enterprising community of over 260 residents. They have constructed permanent houses and shopping centres on the land parcel, including social amenities, such as schools, with electricity and water connectivity.
- iv) The land was now being claimed by Mr Charles Munene Gatimu and Ms Catherine Karegi Kamanja, who secured a grant on 15th October, 2010. 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 Karanja working with the then Ministry of Lands, Nairobi.
- v) The circumstances under which the two Mr. Charles Munene Gatimu and Ms 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;
- vi) The Department of Lands in Nairobi issued two Letters of Allotment: one to Charles Arap Sigei, Charles Menene Gatimu, and Catherine Kamanja. The persons in question used their positions to illegally register themselves as the owners of the property.
- vii) A similar Letter of Allotment was issued by the said Department of Lands to Amani Self-Help Group for an UNS-Residential Plot. 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.
- viii) 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;
- ix) On 4th February, 2009, Mr. Charles Munene Gatimu alone swore an Affidavit accompanied by 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. 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;
- x) The efforts by Amani Self-Help Group to access the Correspondence File (CF) from either the Chief Land Registration Officer, Nairobi or the Director Land Administration have been futile;

- xi) The initial land parcels surrounding the subject Grant L.R. No. 209/9611 have four-digit registration numbers, while L.R. No. 209/11970 has five digits, confirming that the said title/Grant could have been superimposed in the area to secure a title with no records.
- xii) The petitioners argued that it was incumbent upon the Lands Ministry Officials to clarify whether due process was followed in processing the Grant for L.R. No. 209/11970. They also requested that the Cabinet Secretary in charge of Lands make available the application letter for the allocation of land to Charles Arap Sigei, Charles Munene Gatimu, and Catherine Kamanja, along with the respective approvals and any premium payment.

### **3.2 Ministry of Lands, Public Works, Housing and Urban Development**

15. The Principal Secretary, Ministry of Lands, Public Works, Housing and Urban Development, Hon. Generali Nixon Korir, appeared before the Committee on Tuesday, 11<sup>th</sup> November, 2025, and submitted as follows—

- i) L.R. NO. 209/11970 measuring approximately 0.5235 hectares situated in Dandora/Mowlem area in Nairobi City County was allocated as un-surveyed industrial plot ‘B’ to Charles Arap Sigei, Charles Munene Gatimu and Karegi Catherine Kamanja vide a letter of allotment Ref. 98486/ XII dated 20th July, 1993. The allocation was on a 99-year lease term, effective August 1, 1993.
- ii) The offer was accepted, and the statutory fees were paid in 1996. On 26th January, 1998, Charles Arap Sigei, on behalf of the others, applied for consent to transfer the plot, citing insufficient funds to develop it. The plot was transferred to John Mark Omollo Ageng on 4th August, 1998.
- iii) Charles Arap Sigei later requested the cancellation of the transfer via a letter dated 16th March, 2000, citing non-payment by John Mark Omollo Ageng. John Mark Omollo Ageng also acknowledged the cancellation vide an affidavit dated 26th April, 2001. On 24th March, 2000, Charles Arap Sigei transferred his interest in the plot to Charles Munene Gatimu.
- iv) John Mark Omollo Ageng later contested the cancellation of the transfer and moved to the High Court at Nairobi in Civil Suit No. 1269 of 2001. The suit at the High Court was dismissed.
- v) A title document was prepared in favour of Charles Munene Gatimu (2/3 share) and Karegi Catherine Kamanja (1/3 share) and registered as IR No. 132396 on 24th August, 2011.
- vi) The property was currently the subject of an ownership dispute between Charles Munene Gatimu & Catherine Kamanja (Plaintiffs) and Ernest Omwenga and others (Defendants) in ELC Case No. 288 of 2013
- vii) The Committee was informed that the Ministry is awaiting the outcome of the Court case and the National Land Commission's determination of the matter.

## PART FOUR

### 4 COMMITTEE OBSERVATIONS

16. Upon hearing from the Petitioner and the Ministry of Lands, Public Works, Housing and Urban Development, the Committee observed that —

- i) The Petitioners had brought the matter to the National Assembly, subsequent to a high court ruling, Civil Case 288 of 2013, made on 21st September 2023;
- ii) An appeal in Civil Appeal E892 of 2023 by the petitioners, was dismissed by the Court of Appeal on 20th December 2024;
- iii) In both cases, as in the subject of the petition, the contention was on ownership of LR No. 209/11970. The petitioners had not introduced new evidence or information to support their claim, other than those already adjudicated;
- iv) The courts had made findings that indeed Charles Munene Gatimu and Karegi Catherine Kamanja were the true owners of the land, having placed before court *'credible documents, inter alia, Letters of allotment endorsed with a Part Development Plan and ultimately a certificate of title, issued by and on behalf of the Government of Kenya and which certificate of title has never been impugned.'*
- v) Further, the courts found that the Defendants (now petitioners), *'...herein have no lawful rights and/or interests over and in respect of the suit property.'*
- vi) The Committee therefore observed that the petitioners were attempting to re-adjudicate the matter in another forum (the National Assembly), an action generally prohibited under the legal doctrine of *res judicata*.

PART FIVE

5 COMMITTEE RECOMMENDATIONS

17. Pursuant to the provisions of Standing Order 227, the Committee responds to the prayers as follows—
- i) On the prayer that the Public Petitions Committee establishes the status of ownership of Parcel of Land, L.R. No. 209/11970 in Dandora/Mowlem Area, Kangundo Road, in Embakasi West Constituency, vis-a-vis the allegedly illegally acquired title deed held by the private developer, **The Committee acknowledges that in ELC Case No. 288 of 2013 Amani Self Help Group (the Petitioners) were ordered to vacate L.R No. 209/11970 and hand over vacant possession to Charles Munene Gatimu and Karegi Catherine Kamanja as the rightful owners, and that subsequent appeals by the Petitioners were dismissed.**
  - ii) On the prayer that the Public Petitions Committee intervene to have the Government, through the Ministry of Lands and Physical Planning to avail or table all legal documents regarding the ownership of Parcel of Land, L.R. No. 209/11970 in Dandora/Mowlem Area, Kangundo Road, Nairobi, in Embakasi West Constituency. **The Committee acknowledges that all documentation were availed to the competent court and were indeed the basis of the court ruling.**

Signed: \_\_\_\_\_




Date: \_\_\_\_\_

28/05/26

HON. MUCHANGI KAREMBA, CBS, M.P.

CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE:	28 MAY 2026
DAY:	Thursday
TABLED BY:	Hon. Maisari Marwa MP Member, Public Petitions Committee
CLERK AT RE-TABLE:	Irene Nduku

## ANNEXURES

- Annex 1: The Adoption List
- Annex 2: Public Petition No. 9 Of 2024 by Amani Self Help Group, Regarding Ownership Dispute of Land Parcel L.R. No. 209- 11970 – Dandora/Mowlem, Area, Kangundo Road In Embakasi West Constituency
- Annex 3: Minutes of proceedings





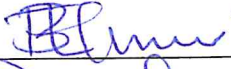


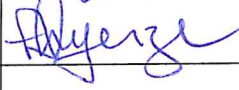
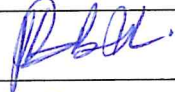

**PUBLIC PETITIONS COMMITTEE**

**ADOPTION LIST**

(i) Consideration and adoption of the Report on P/No. 8<sup>9</sup> of 2024 regarding ownership dispute of land parcel L.R No. 209-11970 Dandora/Mowlem, Nairobi by Hon Mark Mwenje, MP

We, the undersigned, hereby affix our signatures to this Report to affirm our approval:

DATE: 6/5/2025

	HON. MEMBER	SIGNATURE
1.	Hon. Muchangi Karemba, CBS, M.P. (Chairperson)	
2.	Hon. Janet Jepkemboi Sitienci, CBS, M.P. (Vice Chairperson)	
3.	Hon. Patrick Makau King'ola, M.P.	
4.	Hon. Beatrice Kadeveresia Elachi, CBS, M.P.	
5.	Hon. Joshua Chepyegon Kandie, M.P.	
6.	Hon. Maisori Marwa Kitayama, M.P.	
7.	Hon. Edith Vethi Nyenze, M.P.	
8.	Hon. Patrick Ntwiga Munene, CBS, M.P.	
9.	Hon. Paul Biego Kibichy, M.P.	
10.	Hon. (Eng.) Bernard Muriuki Nebart, M.P.	
11.	Hon. Peter Mbogho Shake, M.P.	
12.	Hon. Suzanne Ndunge Kiamba, M.P.	
13.	Hon. John Bwire Okano, M.P.	
14.	Hon. Sloya Clement Logova, M.P.	
15.	Hon. Peter Irungu Kihungi, M.P.	

