# Constitutional Petition for a County Planning Liaison Committee

Educational sample 331 | Mombasa

Educational reconstruction from a reported Kenyan decision. Newly drafted wording, not an original court filing or a matter handled by our team. Specimen identities are bracketed. Adapt to genuine facts, current law, jurisdiction and court directions before signing, swearing or filing.

## Reconstructed formal document

REPUBLIC OF KENYA

IN THE ENVIRONMENT AND LAND COURT AT MOMBASA

CONSTITUTIONAL PETITION NO [reference]

[RESIDENT PETITIONERS] v [COUNTY RESPONDENTS]

CONSTITUTIONAL PETITION

1. The Petitioners are [residents with standing] affected by development administration in [identified area]. The Respondents are [proper county institutions and responsible offices]. This petition concerns the statutory appeal mechanism and public planning framework, separately from any individual permit dispute.

2. The material failure alleged is absence of the County Physical and Land Use Planning Liaison Committee provided for by sections 76–78 of PLUPA at [verified period]. The enquiries, official responses and searches supporting that allegation are [records and dates]. Existing committee appointments must be disclosed.

3. The Petitioners identify the constitutional provisions engaged and the manner of violation: [particular obstruction of access to the statutory remedy], [public-participation failure] and [supported environmental concern]. General dissatisfaction with tall buildings is not pleaded as proof that each permit is unlawful.

4. The petition explains the available administrative routes, steps taken and why the specific constitutional issue remains before this Court. Any request to bypass a statutory remedy is supported by its lawful basis. A map or photograph is identified and interpreted by a competent source where necessary.

5. The Petitioners seek appropriate declarations and time-bound structural directions for the committee, planning framework and public information, with reporting if justified. Relief against each Respondent is tied to that office mandate. No blanket cancellation of all development approvals is sought without individual proof.

DATED at [place] on [date]. Signed [party or advocate]. DRAWN AND FILED BY [name and address for service]. TO BE SERVED UPON [each affected person and address].

## Use and evidence notes

Use the constitutional petition procedure, including rule 10 particulars, standing, specified violations, supporting evidence and precise remedies. Check jurisdiction, statutory remedies and exhaustion, proper respondents, lawful service and current directions. This substantive specimen is not the entire filing pack.

Supporting material: [date]; [author or custodian]; [description]; [bundle page]; [authenticating witness]; [admission or permission]. Attach genuine records only. This public specimen contains no exhibits, signatures, personal identifiers or sworn declaration.

## Source and procedural limits

Fifteen residents challenged county development regulation, high-rise impacts and the absence of the statutory planning liaison committee. Photographs and a map did not sufficiently prove the particular approval, privacy, water, sewer and road violations alleged.

The petition partly succeeded. The Court ordered a development framework within 180 days, a liaison committee within 90 days and public sensitisation on the 2015–2035 strategic urban plan within 45 days. The construction authority was struck out as improperly joined and each party bore its costs.

The Court relied on Articles 10, 42, 47, 48, 50, 69 and 70. The judgment cites PLUPA sections 72–73, but the Act places county committee establishment, composition and functions in sections 76–78; that source numbering is not copied into the specimens. Individual development-approval challenges require the appropriate statutory remedy and precise evidence. The decision does not cancel all permits or establish present non-compliance with its historical deadlines.

[2025] KEELC 824 (KLR) - 21 February 2025. Source decision: https://sheriahub.com/cases/ke/caselaw/vaitha-14-others-v-county-government-of-mombasa-3-others-2025-keelc-824-klr

Reproduced primary text checked: https://sheriahub.com/cases/ke/caselaw/vaitha-14-others-v-county-government-of-mombasa-3-others-2025-keelc-824-klr

The original decision may identify participants. The specimen brackets identifying details. A source judgment does not prove this reconstruction was filed, an allegation succeeded, a later order remains unchanged or the same result will follow in another case.