

REPUBLIC OF KENYA

HIGH COURT OF KENYA AT NAIROBI

CONSTITUTIONAL AND HUMAN RIGHTS DIVISION

PETITION NO. 151 OF 2020

IN THE MATTER OF THE DEFENCE OF THE CONSTITUTION UNDER ARTICLES 3, 10,  
19, 20, 22 AND 258 OF THE CONSTITUTION OF KENYA

AND

IN THE MATTER OF THE ALLEGED VIOLATION OF ARTICLES 19, 21, 28, 29,39, 43, 47 AND 53  
OF THE CONSTITUTION OF 2010

AND

IN THE MATTER OF THE ALLEGED VIOLATION OF SECTION 8(6) OF THE PUBLIC ORDER ACT,  
CAP 56 OF THE LAWS OF KENYA

AND

IN THE MATTER OF THE ALLEGED CONTRAVENTION OF SECTIONS 4 AND 5 OF THE  
HEALTH ACT NO. 21 OF 2017

AND

IN THE MATTER OF THE ALLEGED CONTRAVENTION OF SECTIONS 3, 5, 12, 13, 14  
AND 15 OF PERSONS DEPRIVED OF PERSONAL LIBERTY ACT NO. 23 OF 2014

AND

IN THE MATTER OF THE ALLEGED VIOLATION OF SECTIONS 4 AND 5 OF THE  
ACCESS TO INFORMATION ACT, NO. 31 OF 2016

AND

IN THE MATTER OF SECTIONS 4 AND 5 OF THE FAIR ADMINISTRATIVE  
ACTION ACT NO. 4 OF 2015

AND

IN THE MATTER OF THE ALLEGED CONTRAVENTION OF THE PUBLIC HEALTH (COVID-19  
RESTRICTION OF MOVEMENT OF PERSONS AND OTHER RELATED  
MEASURES) RULES, 2020 AND PUBLIC HEALTH ACT (PREVENTION, CONTROL AND  
SUPPRESSION OF COVID-19) REGULATIONS, 2020 BETWEEN

C.M (Suing on her own behalf and on behalf of PM (Minor) as parent.....1<sup>ST</sup> PETITIONER  
M.O.A.....2<sup>ND</sup> PETITIONER  
M.O.....3<sup>RD</sup> PETITIONER  
M.W.M.....4<sup>TH</sup> PETITIONER  
K.F.....5<sup>TH</sup> PETITIONER

F.A.....6<sup>TH</sup> PETITIONER  
K.B.....7<sup>TH</sup> PETITIONER  
KENYA LEGAL & ETHICAL ISSUES  
NETWORK ON HIV & AIDS (KELIN) .....8<sup>TH</sup> PETITIONER  
KATIBA INSTITUTE.....9<sup>TH</sup> PETITIONER

AND

HON. ATTORNEY GENERAL.....1<sup>ST</sup> RESPONDENT  
THE CABINET SECRETARY, HEALTH.....2<sup>ND</sup> RESPONDENT  
THE CABINET SECRETARY, INTERIOR  
AND COORDINATION OF NATIONAL GOVERNMENT.....3<sup>RD</sup> RESPONDENT

IN COURT ELECTRONICALLY ON 2<sup>ND</sup> JUNE 2020

BEFORE HON. MR. JUSTICE J.A. MAKAU

THIS MATTER coming up for Mention Electronically on 2<sup>nd</sup> June 2020 before Hon. Mr. Justice J. A. Makau and upon hearing Counsel for 1-8<sup>th</sup> Petitioner, Counsel for the 9<sup>th</sup> Petitioner, Counsel for the Respondents, Counsel for the Intended Amicus, and Counsel for the Interested Party AND WHEREASE THIS MATTER is coming up in Court Electronically;

ORDER

IT IS HEREBY ORDERED

1. THAT the Parties who has not been served with pleadings be served within the cause of 2 working days from today.
2. THAT the Responses be filed within 7 working days from the date of service together with Submissions in Response.
3. THAT Hearing on 6<sup>th</sup> July 2020 for the 3 Applications.

GIVEN under my Hand and the Seal of this Honourable Court this 2<sup>nd</sup> of MAY 2020

ISSUED at Nairobi this ..... 2<sup>nd</sup> day of June ..... 2020.

DEPUTY REGISTRAR  
HIGH COURT OF KENYA, NAIROBI

DEPUTY REGISTRAR  
HIGH COURT OF KENYA  
MILIMANI - NAIROBI

Petition 15/202