

IN THE HIGH COURT OF LAGOS STATE
IN THE LAGOS JUDICIAL DIVISION (GENERAL CIVIL)
HOLDEN AT HIGH COURT NO. 27, LAGOS
BEFORE HON. JUSTICE S. A. ONIGBANJO – JUDGE
TODAY MONDAY THE 7TH DAY OF NOVEMBER, 2016

SUIT NO. LD/4232MFHR/16

IN THE MATTER OF AN APPLICATION BY AKAKPO AGEMO AND OTHERS FOR AN ORDER FOR THE ENFORCEMENT OF THEIR FUNDAMENTAL RIGHTS

AND

IN THE MATTER OF THE FUNDAMENTAL RIGHTS (ENFORCEMENT PROCEDURE) RULES 2009 MADE BY THE CHIEF JUSTICE OF NIGERIA PURSUANT TO SECTION 46 (3) OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999.

BETWEEN:

- 1. AKAKPO AGEMO**
- 2. AJEGUN FRANCIS**
- 3. PROPHET MOSES OYINBO**
(Suing for themselves and on behalf of other occupiers and residents of the area known as Ago Egun (Bariga) Community)
- 4. IWALOKUN JIDE**
- 5. OLADIPUPO ARAMIDE**
- 6. IKUESAN CECILIA**
(Suing for themselves and on behalf of other occupiers and residents of the area known as Ebute-Ilaje (Bariga) Community)
- 7. CLEMENT AVLESSI**
- 8. SYLVANUS ANTHONY**
(Suing for themselves and on behalf of other occupiers and residents of the area known as (Sogunro) Community.
- 9. BALOGUN ISAIAH**
- 10. MEHENTO APU**
- 11. MEHENTO NICODEM**
(Suing for themselves and on behalf of other occupiers and residents of the area known as Ofin (Ikorodu) Community)
- 12. EDAMISAN IPINSOKAN**
- 13. ALEX ASOGBON**
- 14. BABATUNDE JOSEPH**
(Suing for themselves and on behalf of other occupiers and residents of the area known as (Itun Agan) Community)

- **APPLICANTS**


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15. KOJA KAMIN

(Suing for themselves and on behalf of other occupiers and residents of the area known as Mosafejo (Oworonsoki) Community)

16. IBOJO SINMIDELE

17. OMOTAYO IWAENI

18. AKINMULEYA ADEWALE

(Suing for themselves and on behalf of other occupiers and residents of the area known as Olufunke Iwaeni Majidun (IKorodu) Community)

19. OLUSUYI SEUN

20. OYEDERE RONKE OMOWUMI

21. ADELEKE OLUWASEUN

(Suing for themselves and on behalf of other occupiers and residents of the area known as (Tomaro) Community)

22. PETER ADOGUN

23. MAROT TAIWO

24. JAMIU WAHEED

(Suing for themselves and on behalf of other occupiers and residents of the area known as Bayeku (Ikorodu) Community)

25. HUNKPE JACK

26. HUNGE AGNES

(Suing for themselves and on behalf of other occupiers and residents of the area known as (Oko Agbon) Community)

27. O. B. AGBEDE

28. OJU JUDE

29. PATIENCE IBOJO

(Suing for themselves and on behalf of other occupiers and residents of the area known as (Otumara) Community)

30. DANSU HUNKPE

31. AHISU CELESTINE

32. PA WAHEED PONOR

(Suing for themselves and on behalf of other occupiers and residents of the area known as (Otodo Gbame) Community)

33. PRINCE KEHINDE MICHAEL

34. AKINDE COMFORT

35. KEHINDE MUSTAPHA

(Suing for himself and on behalf of other occupiers and residents of the area known as (Orisunmibare) Community)

**36. INCORPORATED TRUSTEES OF COMMUNITY
LEGAL SUPPORT INITIATIVE**

(Suing on behalf of other occupiers and residents of other Area falling under the current threat of eviction)

APPLICANTS

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AND

1. THE ATTORNEY GENERAL OF LAGOS STATE
2. THE COMMISSIONER OF PHYSICAL PLANNING & URBAN DEVELOPMENT, LAGOS STATE
3. THE GOVERNOR OF LAGOS STATE
4. THE COMMISSIONER OF POLICE, LAGOS STATE

RESPONDENTS

RULING


Upon a careful consideration of this ex-parte application and the issues involved, I am convinced that this is an appropriate occasion for the exercise of my discretion in Applicant's favour ex-parte in order to preserve the Res between parties pending the hearing and resolution of the Applicant's Motion on Notice for injunctive reliefs dated 19/10/16.

Consequently the Respondents are hereby restrained in the interim whether by themselves and or their privies from demolishing any of the Applicants' homes, business premises, properties, or Applicants' community facilities in waterfront communities across Lagos State inhabited by the Applicants or evicting the Applicants therefrom or otherwise giving effect to the seven (7) days' Notice to the Applicants' communities broadcast on 9/10/16 pending the hearing of the Applicants' Motion on Notice for injunction dated 19/10/16.

Suit is adjourned to 16/11/2016 for hearing Applicants' Motion on Notice for Injunction dated 19/10/16.

2nd, 3rd, 5th and 13th Applicants present.

I. Nwabueze with C. Njoku for Applicants.


HON. JUSTICE S. A. ONIGBANJO,
JUDGE,
7/11/2016.



15 folders as per
per
BALOGUN
COMMISSIONER FOR GOVERNMENT
HIGH COURT LAGOS
9-11-16

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