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**ANSWER**

The legal issues are:

1. Whether or not the Governor’s actions were unconstitutional and unlawful; 2)Whether Chief Ajah can contend his actions using the principle of notice: 3) Whether the court has the constitutional powers to address such issue..

Land comprises of all buildings, installations, crops, houses and unexhausted improvements on a property. According to section 1 of The Land Use Act, the governor has supreme power over all urban lands, as the trust is unique and sui generis. Also, according to section 5, the governor also has the right to grant statutory right of occupancy, as well as to revoke this right, as stated in section 28 of the Land Use Act. Thus, is a situation such as Covid-19 occurs, the government enjoys the constitutional power to place a lockdown, based on the Quarantine law of the land to save the lives of his citizens. This definitely cannot be seen as a selfish act.

According to the scenario,

**ISSUE 1**

With the application of section **1, 2(1) (a) and section 5 of The land Use Act**, the Governor has control and management of the land in the urban areas. This control, although, supreme must be exercised for public purposes, of the governor did. Chief Ajah’s Hotel was demolished because he not only violated the law, he also endangered his life and that of his staff, those resident, as well as that of the state as a whole.

**ISSUE 2**

According to **section 47** of The Land Use Act, no individual can contend, in a court of law, the actions of the governor, especially on issues pertaining to land. However, if it is contained the Quarantine Law that the governor does not have the right to take extreme actions, Chief Ajah might be to contend with the actions of the governor.

**Nonetheless**, Chief Ajah, may not be able to as **section 5 of the Quarantine Law** clearly states that a defaulting act will lead to demolition and fines as penalty.

But according to the provisions of section 28(4) of The Land Use Act, the occupier of a place can claim he did not receive proper notice before demolition**.**  I believe if there was no proper notice to Chief Ajah before demolition. Thus, this point could raise a defence, despite his violation of the law.

**But it was clearly stated in the scenario that Chief Ajah received several warnings. Thus, his actions are not likely to succeed.**

**ISSUE 3**

Also, **with the application of section 47 of The Land Use Act,** as well as the provision of the **Quarantine Law, section 5,** No court shall have the jurisdiction to inquire into, notwithstanding anything to the contrary in any law or rule of law, including the Constitution of The Federal Republic. Thus, such matters will not be redressed, especially where the plaintiff/applicant violates a stipulated law. **Nonetheless, if the issue raised is with regards proper notice Chief Ajah could have a successful action. I say so because, the act of demolition could also be an act of revocation of right of occupancy. This principle of notice can be seen in the case o**f **AMALE V SOKOTO LOCAL GOVERNMENT AND STODIE VENTURES LTD V ALAMIEYESIEGHA.**

With this, I am of the view that Chief Ajah’s constitutional rights, Chapter 4 of The Constitution, 199, cannot entirely exonerate him, nor can he claim damages or compensation. This is because rights have limitations and where your right stops, another’s right begins. Nonetheless, **if Chief Ajah can prove the defence of NOTICE, he could receive some sort of compensation. That is if the court puts the principle of proper notice into consideration considering the state of emergency and the pandemic.**

In conclusion,Mr Ajah’s actions are clearly unlawful and even endangers the lives of other citizens. On the other hand, the actions of the Governor was clearly legalized in section 5 of the Quarantine Law, and at this point, the issue of notice might not be so sufficient. **It could only be if he can prove improper or insufficient notice. Without such the governor is right.**