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The legal issue for determination is

1. Whether the governor act of demolishing the hotels is in line with the constitution as well as the procedures stipulated in the constitution and land use act.
2. Whether the governor’s revocation of right of occupancy based on the quarantine law counts as public interest.

For the first issue, the rule as stipulated in **section 5 of the quarantine law**, the governor has the power to make an executive order stipulating the closure of all public places. The same section provides punishments in the case of breach of the closure order. The punishment has been provided by the quarantine law to be in the form of fines and imprisonment.

As for the second issue, **section 28 of the Land Use Act** provides that the governor may revoke the right of occupancy of an individual for overriding public interest and **subsection 2(c)** defines overriding public interest as “the requirement of the land for mining purposes or oil pipelines or for any purpose connected therewith.”

As regarding the first issue, the form of punishment that can be enforced has been clearly stated by the **quarantine law** to be in form of fines and punishment. Therefore, it can be said that the act of the governor in demolishing the hotel as an overreach and abuse of power as he is acting outside the prescribed ambit of the law. This also is in breach of **section 44 of the CFRN 1999 (as amended)** which provides that no moveable property or any interest in an immoveable property shall be acquired compulsorily and stipulates that compensation must be paid in the situation that such rights have to be revoked for overriding public interest.

In a bid to escape liability, the governor might deem his action to be covered by **section 28 of the Land Use Act** which provides for revocation of right of occupancy for overriding public interest classifying the quarantine law as well as his action to be overriding public interest. This issue is however resolved in the position of the law as provided in **section 28(2)(c) of the Land Use Act**  which defines and classifies what can be qualified as overriding public interest. Also, in the situation of revocation of right of occupancy, **section 29 of the Land Use Act** provides that there should be compensation for revocation if it is caused by any of the contents of the provisions of **section 28(2)(b);(3)(a) and (c)**. Also, **section 28(6) and (7)** provides that a notice must be granted by the governor to the holder or possessor of the right to be revoked.

In conclusion, this writer will advise Chief Ajah to take legal action against the government demanding compensation on the basis of unjust and unconstitutional action of the governor stating that he acted in an overreach of his power and instituted punishment where the law had already prescribed punishment.