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LAND LAW

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Test

Issue: weather the governor had a right to demolish his property

2. And if the executive order can serve as notice under the Land use Act

The governor was on his mission to act on behalf on the state was wrong because the quarantine law provides for a notice of demolition which was not stated or rather not provided and the punishment was toodrastic, 2. And revocation of the occupancy must be done through a notice delivered personally to the person as seen in sec 28 of the land law act. As seen in section 28 sub 1 the governor has the power to revoke the statutory right of occupancy which has been seen to override public interest and chief Ajah has flaunted the executive order but the acts which I more superior than the executive order states it’s wrong do the governor is clearly wrong

Chief will be entitled to compensation especially under the law of equity even with the use of the doctrine where two equitable interest clash the guest in time prevails or the law will prevail and in this context the law of the land law act because he does not have a right to demolish or revoke the occupiers interest. Chief will get compensation under sec 29 of the act by either resettling or compensation with money

As seen in the case of Lagos state dev.& property corps v. Foreign finance corporation which states that notice of revocation and the reason should he stated on the notice and also Ononuju v A.G Anambra State which is giving a good reference to a valid notice. S.O Adole v Boniface B Gwar which states that a public notice is not valid

Also as seen in sec 28 6 which states that such documents are meant to signed by the governor and will have to comply with the provisions of the acts unless the notice will be void and sec49 a,B& c. And that it must be given in person, by leaving it on the last know place of the person in maybe a leter form sec 44

Conclusion

Therefore chief ajah has a chance to sue and has the chances to prevail in his case as he for the reason for his need to open his property which means if he had to keep his hotel open was really necessary like a life and death case of financial stability and also on the need for a proper notice which wasn’t issued to him. But the governor has a right to revoke his occupancy but Demolishing chiefs hotel instead of asking him to pay fine or sending him to prison is invalid, So if chief seeks redress against him In court, he'd succeed