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Land law continuous assessment

Answer

The legal issue raised in this question is whether the Governor was right to demolish Tarzan hotel owned by Mr Ajax without giving proper notice.

According to the section 44 of the land use act, a notice has to be given if there will be a revocation of interest in land. Although the quarantine law empowered the governor with the right to impose punishment but the governor over acted by demolishing Mr Ajah's hotel by demolishing it when the Quarantine law only clearly stated the punishment as imprisonment and fine and not demolition.

It can be clearly deduced that from the question no direct notice was given to Mr Ajah on the demolition of his hotel and according to the act sec 44 to be precise the notice has to be given in person, no notice was given to Mr Ajah in person and not any other provision under the subsection was followed therefore in my own opinion, the governor was wrong to demolish mr Ajah's hotel, and not only was it illegal to demolish the hotel, he was also over acting and as for the question of notice, the provision was not applied. *Ononuju v Ag Anambra state* in this case a notice was published in a gazette and the court held that such notice would be invalid as it was not directly given to the holder or given to him personally.

S.o Adole v Boniface B govt.

Given the above analysis on this problem question, on the above ground, in my own opinion, I believe that Mr Ajah has a chance of success in court. According to section 29 of the land use act 1978, the holder and occupier of a land will be entitled to compensation. Mr Ajah has a chance of succeeding in court and will also be compensated by the government.