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ANSWER

The legal issue for consideration is whether the governor can revoke the right of occupancy through an executive order with powers vested on him under quarantine law and if the order contradicts the constitution and land use act.

The answer to this legal issue is in the affirmative as the laws of kuzuland are same as the relevant Nigerian laws.

An executive order is a directive from the president or the governor of states and it has much of the same power as a federal law under certain circumstances provided the order has a solid basis either in the constitution and powers vests in the president's executive order has the force of law.

*Section 28 of the land use act* deals with the power of the governor to revoke rights of occupancy, the revocation of the roc is the right of the governor to withdraw a person's right of occupancy under certain criteria or requirement such as purpose. The purpose for revoking the interest in land is called overriding. *section 28(1)* it shall be lawful for the government to revoke a right of occupancy for public interest.

Another important essential requirement is the concept of notice before a right can be revoked *section 28(6)(7)* the notice should be personal and the mode of service must be in accordance to *section 44 of the land use act*. In the case of LAGOS STATE V FOREIGN FINANCE CORP it held that the notice should be personal to the holder and not merely placed in a newspaper and not just announced on radio, gazette etc .in ONENUJU V AG ANAMBRA STATE the notice was published in a gazette not personally and the sc held that the revocation was invalid.

In respect to the requirements before a right can be revoked under the purpose it is obvious that the governor did not enforce the order out of his own interest or personal capacity and not for private purpose or enjoyment but for the safety of the citizens given the state of the country due to the pandemic covid-19, the order was to prevent the spread of the virus and ensure the good health of the people and also to curb the spread by ordering the close of bars, restaurants, hotels, clubs, amongst others and that any public place which continues shall be demolished.

My advice for chief ajah as to the chances of his success contesting the legality of the governor's action is almost impossible in my opinion. This is because although the governor did not meet all the requirement before the revocation, the reason was because of a pandemic that can claim human lives and so he has powers vested on him under quarantine laws as he has the safety of the population at heart and is likely to succeed in court, however chief ajah could plead for compensation under *section 29 of the land use act*.

In conclusion the Governor has the right to revoke the right of occupancy on any of the grounds contained in *section 28(5) of the land use act*. Even though he did not meet all three requirements, but on the other hand this was a pandemic and he had quarantine powers and he issued an executive order and the owner of tarzan hotel was in defiance of this order despite warnings and as stipulated in the order, the governor demolished the hotel.