NAME : OLADAPO FEMI

MATRIC NO : 16/Law01/168

TEST

The legal issue here is:

Whether or not the demolition of Tarzan hotels was unlawful.

Pursuant to section 28 of the Land Use Act this addresses that the right of occupancy may be revoked by the governor for overriding public interest  in respect to both statutory right of occupancy and customary right of occupancy.

Under section 28 sub section 2 the act provides the case which would constitute overriding public interest as it is understood that such revocation is in connection with the economic, industrial or agricultural development of the state.

In line with the provision of section 44 of the 1999 constitution,payment of compensation is guaranteed upon revocation of title holder right.

Furthermore, section 29 of the land use act also supports this claim  of compensation.

In the present scenario, it is understood that although the demolition of Tarzan hotels by the governor was in line with the provisions of the executive order, the failure to serve a notice to Chief ajah of the revocation of his right of occupancy on Tarzan hotels was indeed unlawful. As such, the revocation of his right was void and complete compensation was due to him for the loss incurred due to the demolition of the hotel.

My advice to Chief ajah is that he should seek a due compensation for the unlawful demolition of Tarzan hotel in a legal action against the state.