

Name: Ekwegbalu Stephanie Chinenye

Matriculation Number: 16/LAW01/073

The first legal quagmire for determination is whether the action of the Governor was constitutional and valid.

The second legal quagmire for determination is whether the court has jurisdiction in land matters and whether Chief Ajah can successfully institute an action in court.

In relation to the first legal issue, the action of the Governor in demolishing the hotel was constitutional because the Executive Order stated that anyone who violates the closing down of public places will have their building demolished.

In addition, the action of the Governor was constitutional in light of the Land Use Act which states that a right of occupancy can be revoked if it overrides public interest and this is provided for in **Section 28(1)** of the Land Use Act and also supported by the case of **Amale v. Sokoto Local Government**. The action of Chief Ajah was against public interest and this gave the Governor a valid reason to demolish the building. Also, Chief Ajah will not be granted compensation because his actions were contrary to the provisions of **Section 29(1) of the Land Use Act**.

It is also trite to note that it is compulsory to put a title holder on notice about the revocation of a right of occupancy as stated in **Section 28(6) of the Land Use Act**. It can be said that a valid notice was, however, not served on Chief Ajah which goes against **Section 44 of the Land Use Act** and this is supported by **Olateju v. Commissioner for L&H, Kwara State**.

In relation to the second legal quagmire, by virtue of **Section 47(1)(a)**, no court shall have jurisdiction to inquire into any question pertaining to the vesting of all land in the Governor. This means that the court lacks jurisdiction to entertain the case.