



A.K. USMAN & CO.

(KYUKA CHAMBERS)

Legal Practitioners, Real Property/ Corporate and Environmental Consultants.

Address: XX 2 Ibadan Street by Daura Road, Kaduna.

Tel: 08060255486, 0905847 8820. Email: akaddamu@yahoo.com / kimiappah@gmail.com

AKU/KD/VOL.8/ AG/KD/019/2020.

Friday 21, August, 2020.

The Executive Governor of Kaduna State,
Kaduna State Government House,
Kaduna State.

Your Excellency,



DEMAND FOR RESTITUTION OF MR. PAUL OJO AND NOTIFICATION OF VIOLATION OF FUNDAMENTAL RIGHT BY YOUR AGENT SAMUEL JACOB MADAKI ESQ. OF THE DEPARTMENT OF PUBLIC PROSECUTION, MINISTRY OF JUSTICE, KADUNA STATE AND MEMBERS OF THE KADUNA VIGILANCE SERVICE.

We are counsel to **Mr. Paul Ojo, Michael Ojo, Isaac Ojo and Mrs. Veronica Ojo** (our clients) of Block L12, KAPWA Quarters, Kabala Costain, Kaduna State, on whose brief, behalf, authority, consent and permission we write you this letter which referring you to the above subject matter as follows:

1. Our client has been the occupant of Block L12, KAPWA Quarters, Kabala Costain, Kaduna State for well over thirty years before the Kaduna State Government through the Committee for the Sale of Residential Houses Kaduna State advertised and subsequently offered for sale Block L12, KAPWA Quarters, Kabala Costain, Kaduna State.
2. Several persons bided for the property but our client was the highest bidder which eventually led to the allocation of the property to him by the Committee for the Sale of Residential Houses in Kaduna State (the Committee).
3. Unknown to our client, the Committee without cancelling or revoking his bid and the initial payment he made over the said property or building reassigned the property to one **Mr. Abbas Mohammed Ango**.

12. The beating and dehumanization of our client, started before we got to the premises and same continued in our presence because he also wanted the Police Officer to beat up and arrest **Kimi Livingstone Appah Esq. LL.M** for asking for calm.
13. At the premises of our client, of the address written above, we requested the boys who were carrying out the demolition of our client's property on the supervision of **Samuel Jacob Madaki Esq.** to stop and they did not stop the demolition of the said premises.
14. We showed **Samuel Jacob Madaki Esq.** the pending suit and all the applications filed before the court but he retorted by saying, the Governor of Kaduna State has directed him to demolish all the property with or without any court action or suit, as such, he would proceed with the demolition.
15. **Samuel Jacob Madaki Esq.** after his explanation in paragraph 14 ibid directed his boys that came with him to remove the roof of the house, after he refused to show us the direction of the governor in writing; even though no notice whatsoever was served on our client before **Samuel Jacob Madaki Esq.** ordered the demolition of our clients' property.
16. We state with respect, that **Samuel Jacob Madaki Esq.** ought to know and he does know, that the action of demolition our clients' property on the face of a pending suit brought to his notice, amounts to infamous conduct in professional respect and same is against the ethics of the legal profession. At the right forum we will furnish the particular rules of conduct violently taken to butchers by **Samuel Jacob Madaki Esq.**
17. We state further, that the primary duty of **Samuel Jacob Madaki Esq.** is to the legal profession and not to the Governor of Kaduna State as he claimed to have been carrying out an illegal duty pursuant to the orders of the Governor of Kaduna State whom he ought to have advised. What **Samuel Jacob Madaki Esq.** is informing us is that if the Governor of Kaduna State asks him to kill, he will kill, and he did kill our client metaphorically!
18. To our dismay, Samuel Jacob Madaki Esq. informed us that he was posted to oversee the demolition of the premises our client was currently occupying by

4. Our services were retained and we filed suit number KDH/KAD/904/2017; Paul Ojo vs. The Governor of Kaduna State and 3 Ors. A copy of the initial writ of summons before joining **Mr. Abbas Mohammed Ango** is hereby annexed for your perusal as **annexure AKU 1**.
5. On the 30th day of May, 2019, we filed a motion for interlocutory injunction against the defendants in suit number KDH/KAD/904/2017 and we joined the Nigeria Police Force as a party an order is sought against. A copy of the said motion on notice is hereby annexed for your perusal as **annexure AKU 2**.
6. The motion for interlocutory injunction is still pending and has not been moved till date but the Ministry of Justice who is representing the Defendant is served with the said motion on notice.
7. We have opened and closed our case and our sole witness was cross examined by **Tahir Ladan Esq.** of the Ministry of Justice, Kaduna State.
8. Our clients, remained in possession but unfortunately, on the 17th day of August, 2020, Samuel Jacob Madaki Esq. led a team of Police men and that of the Kaduna State Vigilance Service to our clients' premises without any prior notification to that regards.
9. A call was put through by **Mr. Paul Ojo** to **Mr. Kimi Livingstone Appah Esq. LL.M** of the fiercely and forceful methodology **Samuel Jacob Madaki Esq.** and his team of Police men employed in their military-style-self-help takeover of the premises of our client.
10. Before we got to the premises, Mr. Samuel Jacob Madaki Esq. was superintending the beating of our clients by his team of police men attached to him as led by one DSP Ahmed of the Operation Yaki Police Command Kaduna.
11. We need to state, that **Mr. Paul Ojo** is a retired Military personal, eighty-five (85) year old who served his country meritoriously with all his life and youthful vigour, his wife is Seventy-Two (72) years old but Samuel Jacob Madaki Esq. was heartlessly supervising their mangling and brutal attack of this senior citizen and his abode and he did not only supervise the beating but subsequently joined in the dragging and beating.

your Solicitor General; Chris Umar who acted on your direction, while you derived yours from the Government of Kaduna State. That is unimaginable! But we can now imagine from his actions on the premises of our client!

19. Kindly note, that as the chief legal officer of Kaduna State, on no account should the Government of Kaduna State demolish, take over possession of any premises without first putting the occupant on notice but you rather adopted a self-help mechanism, beat up our client, thereby subjecting them to an inhuman conduct and battery because of you cover up operation by the Nigeria Police Force.
20. You Know, and you ought to know, that our client is claiming ownership of the said property and you know that he is the rightful owner but you rather ask Samuel Jacob Madaki Esq. who has right to decline but refused, to take over the said property without giving him any notice whatsoever.
21. While we state that power is from God, but note, a violation of our client's fundamental right is actionable and more so, there was several High-handed deals committed by the Committee for the sale of Residential Houses in Kaduna State.
22. In-fact, the believe remains that the premises is meant for civil servant and the reallocation was made to a civil servant but surprisingly, Mr. Abbas Mohammed Ango whom is believed to be a civil servant, illegally transfer the property to one Nasiru Sani Kibiya and the said Nasiru Sani Kibiya sued our client before the Customary Court, Barnawa. A copy of his originating Court process is hereby annexed.
23. The case at the Customary Court, Barnawa is still pending before the beating and illegal taking over of the said premises by agents of the Kaduna State Government.
24. We note, that your excellency shall not condoned such illegality and would frown at the methods of taking over as a law-abiding citizen, hence our request and demand for restitution.
25. We were saddened when you ordered and or directed Samuel Jacob Madaki Esq. to further detain Michael Ojo and Isaac Ojo at operation Ya

30. Note kindly, that should you fail to strictly follow through the demands as stated in paragraph 26 above, we shall carry out our clients' further instructions and note please, this letter also serve as a pre-action notification.

Accept the assurances and best regards of A. K. Usman & Co.

We sincerely remain yours;



Kimi Livingstone Appah Esq. LL.M.
Attorney at Law.