

IN THE HIGH COURT OF ONDO STATE
IN THE AKURE JUDICIAL DIVISION
HOLDEN AT AKURE

SUIT NO: Ak/348/2023

BETWEEN:

MR. LUCKY ORIMISAN AIYEDATIWA,
(DEPUTY GOVERNOR OF ONDO STATE)

) CLAIMANT/
APPLICANT

AND

1. ONDO STATE GOVERNMENT
2. THE GOVERNOR OF ONDO STATE
3. ONDO STATE HOUSE OF ASSEMBLY
4. THE SPEAKER, ONDO STATE HOUSE OF ASSEMBLY
5. THE CLERK, ONDO STATE HOUSE OF ASSEMBLY
6. THE CHIEF JUDGE OF ONDO STATE

) DEFENDANTS/
RESPONDENTS

MOTION ON NOTICE
BROUGHT UNDER:

1. SECTION 9 OF THE ONDO STATE HIGH COURT LAW, CAP 62.
2. ORDER 20 RULE 1 & 15 OF THE ONDO STATE HIGH COURT (CIVIL PROCEDURE) RULES, 2019
3. UNDER THE INHERENT JURISDICTION OF THIS HONORABLE COURT

TAKE NOTICE that this Honourable Court will be moved on the day of 2023 at the hour of 9 o'clock in the forenoon or so soon thereafter as Counsel may be heard on behalf of the Claimant/Applicant praying for the following reliefs:

1. **AN INTERLOCUTORY ORDER** directing the 3rd-5th Defendants/Respondents herein jointly and/or severally, whether by themselves, their agents, servants, officers, and/or privies or otherwise howsoever NOT to interfere with the res/subject matter of the Originating Summons filed in this suit either by way of further restricting the rights and privileges of the Claimant or initiating or further initiating any adverse process or proceedings by way issuance of notice of allegation or setting up of any panel of investigation in a bid to remove the Claimant/Applicant from office as Deputy Governor of Ondo State, pending the hearing and final determination of the substantive suit.
2. **AN INTERLOCUTORY ORDER** directing the Defendants/Respondents herein jointly and/or severally, whether by themselves, their agents, servants, officers, and/or privies or otherwise howsoever NOT to interfere with the res/subject matter of the Originating Summons filed in this suit either by way of taking any adverse actions in relation to any attempt or process targeted at the removal of the Claimant from office as Deputy Governor of Ondo State pending the hearing and final determination of the substantive suit.



ORIGINATING SUMMONS (ORDER 5 RULE 7)

IN THE HIGH COURT OF ONDO STATE

IN THE AKURE JUDICIAL DIVISION

HOLDEN AT AKURE

SUIT NO. AK/348/2023

BETWEEN:

MR. LUCKY ORIMISAN AIYEDATIWA,
(DEPUTY GOVERNOR OF ONDO STATE)

) CLAIMANT

AND

1. ONDO STATE GOVERNMENT
2. THE GOVERNOR OF ONDO STATE
3. ONDO STATE HOUSE OF ASSEMBLY
4. THE SPEAKER, ONDO STATE HOUSE OF ASSEMBLY
5. THE CLERK, ONDO STATE HOUSE OF ASSEMBLY
6. THE CHIEF JUDGE OF ONDO STATE

) DEFENDANTS
)
)
)
)
)

ORIGINATING SUMMONS

BROUGHT UNDER:

1. ORDER 5, RULE 7 OF THE ONDO STATE HIGH COURT (CIVIL PROCEDURE) RULES, 2019
2. SECTION 6(6)(b); SECTION 36, SECTION 39 AND 188 OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 (AS AMENDED)
3. UNDER THE INHERENT JURISDICTION OF THE HONOURABLE COURT

LET the *1st and 2nd Defendants* of the Governor's Office, Obafemi Awolowo Avenue, Alagbaka, Akure, Ondo State, Nigeria and the *3rd, 4th and 5th Defendants* of Ondo State House of Assembly Complex, Alagbaka, G.R.A Igbatoro Road, Akure, Ondo State, Nigeria and the *6th Defendant* of the Honourable Chief Judge's Chambers, Ondo State High Court, Akure, Ondo State, Nigeria, within **Seven (7) days** after the service of this summons on them, inclusive of the day of such service; cause an appearance to be entered for them to this summons which is issued upon the application of **MR. LUCKY ORIMISAN AIYEDATIWA**, (*Deputy Governor of Ondo State*) of Deputy Governor's Office, Alagbaka, Akure, Ondo State, who claims to be aggrieved and concerned with the adverse plans, actions and ongoing illegal activities of the Defendants in respect of undermining his office as Deputy Governor of Ondo State and consequent upon which the Claimant seeks the determination of the following questions:

QUESTIONS FOR DETERMINATION

1. Whether the *1st and 2nd Defendants'* dismissal of all the media aides attached to the Claimant as Deputy Governor of Ondo State with the connivance and/or active support of the *3rd - 5th Defendants* without prior notice, consent, authority or approval of the Claimant who depends on the said media aides as medium for dissemination of information to the people of Ondo State and beyond is not grossly unreasonable, vindictive, illegal, unconstitutional, malicious and a breach of the Claimant's rights to freedom of expression at the press as enshrined in Section 39 of the Constitution, Federal Republic of Nigeria, 1999, (as Amended).



