

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE KANO JUDICIAL DIVISION
HOLDEN AT KANO
ON FRIDAY THE 23RD DAY OF JUNE, 2023.
BEFORE HIS LORDSHIP HON. JUSTICE S. A. AMOBEDA
JUDGE

SUIT NO. FHC/KN/CS/148/2023

BETWEEN:

IZZUDEEN MUHAMMAD HASSAN.....APPLICANT

AND

1. KANO STATE GOVERNMENT
2. KANO URBAN PLANING AND DEVELOPMENT AUTHORITY
(KNUPDA)
3. COMMISSIONER OF POLICE, KANO RESPONDENTS

ORDER

UPON this Motion Exparte dated and filed on the 15th day of June, 2023 praying this Honourable Court for the following orders:

1. A DECLARATION that the Marking of House of the Applicant for demolition without Notice for revocation of his legitimate title by the Respondents constitutes an infringement of the Applicants' Fundamental Rights guaranteed and protected by Sections 36, 43 and 46 of the Constitution of the Federal Republic of Nigeria 1999 (as amended) and be treated as such.
2. A DECLARATION that the Applicant is entitled of Compensation and to be notified on the revocation of his title over the property covered by a Certificate of Occupancy Number KNML 08840 before any action by the Respondent.
3. AN ORDER to enforce and secure within the Kano State and Nigeria at large the right to fair hearing and right to own moveable property of the Applicant which have and are being infringed upon

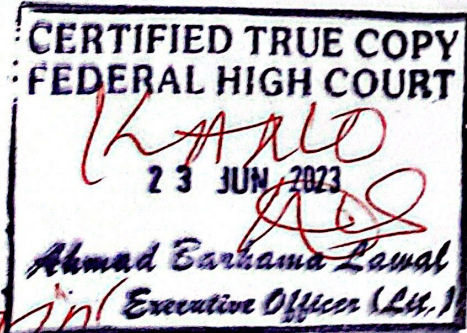
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FEDERAL HIGH COURT

KANO
23 JUN 2023

Almad Barkam Lamal
Executive Officer (L.S.)

by the Respondents which constitutes a gross violation of the due process of law and amount to an infringement of the Applicants' Fundamental Rights as enshrined in Sections 36, 43 and 46 of the Constitution of the Federal Republic of Nigeria 1999 (as amended).

4. AN ORDER for interim injunction restraining the Respondents either by themselves, servants, agents, representatives, privies or cronies or whosoever at the instance or under the instructions of the Respondents from interfering with, entering into and or dealing in whatever manner with the Applicants' rights of ownership, occupation and/ or possession over the property situate along BUK Road, behind Kano State Collage of Islamic and legal studies and covered by Title Document with Certificate of Occupancy number KNML 08840 of which is attached to this Application pending the hearing and determination of the Motion on notice thereof.
5. AND for such further order or other orders as this Honourable Court may deem fit and just to make for the redress of the infringement of the Applicants' Fundamental Rights.



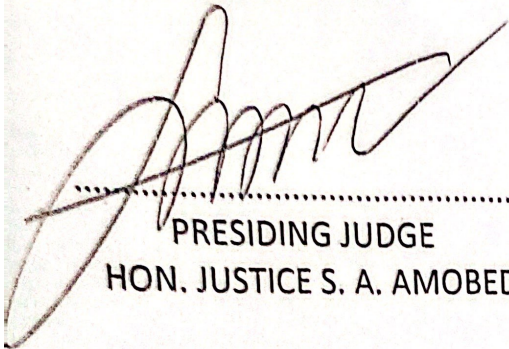
And after reading the affidavit in support of Motion sworn to by IZZUDEEN MUHAMMAD HASSAN, Male, Adult, Muslim, Nigerian citizen of No. 561 Fagge D2 Wapa, Tanko Shatima Avenue, Kano State, and filed at the Court Registry.

And after hearing S. A. Aliyu Esq. holding the brief of ISHAQ MAGAJI SAN., move in terms of the Motion Paper;

IT IS HEREBY ORDERED AS FOLLOWS:


1. That prayers 1, 2 and 3 are refused at this state of the application.
2. That the Respondents shall be put on notice to show cause why the prayers 1, 2 and 3 should not be granted.
3. That prayer four (4) is granted in the interim.

4. That accelerated hearing of the matter is ordered.
5. That this matter is adjourned to 10th July, 2023 for hearing. Meanwhile, the order of the Court and other processes shall be served on the Respondents.


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PRESIDING JUDGE
HON. JUSTICE S. A. AMOBEDA

ISSUED AT KANO UNDER THE SEAL OF THE COURT AND THE
HAND OF THE PRESIDING JUDGE THIS 23RD DAY OF JUNE, 2023.


ILIYASU MOHAMMED
REGISTRAR


KANO
23 JUN 2023
Ahmad Barkhama Lawal
Executive Officer (Lit.)
