

END OR SENT

IN THE HIGH COURT OF THE FCT
HOLDEN IN ABUJA

SUIT NO: **CN/386/15**

BETWEEN:

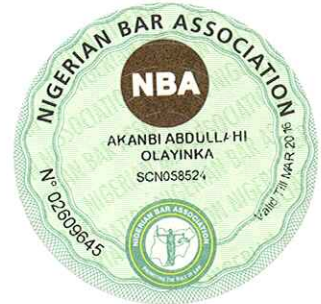
TAULAH INVESTMENT NIG LTD
(ACTING THROUGH ITS LAWFUL ATTORNEY
PASTOR (MRS) ESTHER JESULANKE)

PLAINTIFF

AND

1. SENATOR OSITA IZUNASO
2. MRS. GRACE IYANG

DEFENDANTS



WRIT OF SUMMONS

To:

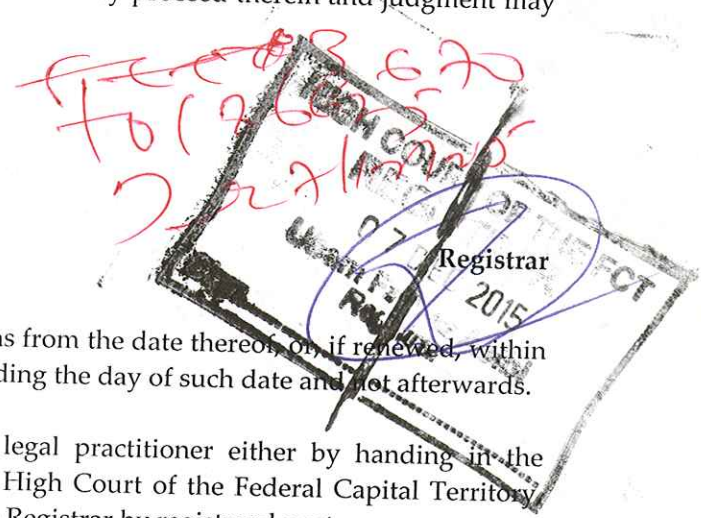
SENATOR OSITA IZUNASO of No 36, Dennis Osadebe Crescent, Apo Legislative Quarters, Apo, Abuja and
MRS. GRACE IYANG of No 6, Ndade Crescent off Accra Street Opposite Febson Mall, Wuse Zone 5,
Abuja.

You are hereby commanded that within 8 days after the service of this Writ on you, inclusive of the day
of such service, you do cause an appearance to be entered for you in an action at the suit of **TAULAH
INVESTMENT NIG LTD (ACTING THROUGH ITS LAWFUL ATTORNEY PASTOR (MRS) ESTHER
JESULANKE)**.

AND TAKE NOTICE that in default of your so doing the Plaintiff may proceed therein and judgment may
be given in your absence.

Dated this 7th Day of Dec 2015

By Order of the Court



MEMORANDUM TO BE SUBSCRIBED ON THE WRIT

N.B. This writ is to be served within twelve calendar months from the date thereof, or, if renewed, within
six calendar months from the date of the last renewal, including the day of such date and not afterwards.

The Defendant may enter appearance personally or by legal practitioner either by handing in the
appropriate forms, duly completed, at the Registry of the High Court of the Federal Capital Territory
Abuja in which the action is brought by sending them to the Registrar by registered post.

ENDORSEMENT TO BE MADE ON WRIT BEFORE ISSUE THEREOF

The Plaintiff's Claim is for:

1. A DECLARATION that the Plaintiff is a bona fide owner of all that demised property together with appurtenances situate at Block 20 Flat 3, Moses Adasu Close, Zone D Legislative Quarters, Apo, Abuja (cited as Block D6A Flat 3 Apo on the Certificate of Occupancy) ["the Property"].
2. A DECLARATION that the 1st Defendant's entry into the Plaintiff's property at Block 20 Flat 3, Moses Adasu Close, Zone D, Apo Legislative Quarters Abuja is unlawful and an act of trespass.
3. A DECLARATION that the forceful ejection of the Plaintiff from the property at Block 20 Flat 3, Moses Adasu Close, Zone D, Apo Legislative Quarters Abuja by the 1st Defendant is unlawful.
4. A DECLARATION that the willful destruction of the Plaintiff's property described at Block 20 Flat 3, Moses Adasu Close, Zone D, Apo Legislative Quarters Abuja as by the 1st Defendant is unlawful.
5. AN ORDER that the 1st Defendant vacate the Plaintiff's property at Block 20 Flat 3, Moses Adasu Close, Zone D, Apo Legislative Quarters Abuja which he has forcefully taken possession of.
6. AN ORDER that the 1st Defendant cease and desist from further destroying the Plaintiff's property at Block 20 Flat 3, Moses Adasu Close, Zone D, Apo Legislative Quarters Abuja.
7. AN ORDER of Perpetual Injunction restraining the 1st Defendant either by himself, his servants, agents and/or privies or howsoever described from interfering with the Plaintiff ownership and possession of the property at Block 20 Flat 3, Moses Adasu Close, Zone D Legislative Quarters, Apo, Abuja.
8. The sum of N20,000,000.00 (Ten Million Naira Only) as special damages covering the cost of renovation of the property destroyed by the 1st Defendant.
9. The sum of N10,000,000.00 (Twenty Million Naira Only) as special damages for the personal belongings of the Plaintiff which was damaged and misplaced by the 1st Defendant and his agents.
10. The sum of N5,000, 000.00 (Five Million Naira Only) against the 1st Defendant as exemplary damages for willful and unlawful destruction of property.
11. The cost of this action.
12. Interest at 21% per annum until final liquidation of the judgment sum.

DATED THIS 7TH DAY OF SEPTEMBER 2015



V.O.M ALONGE (MRS.)
DAPU AKINOSUN

BASHIRU RAMONI
AYODELE SOBAYO
A.O AKANBI ESQ.
OLAWUMI OLUSEYE (MRS.)
PLAINTIFF'S COUNSEL
SIMMONSCOOPER PARTNERS
BLOCK A4 FLAT A3 WILBAHI ESTATE
KUKWABA DISTRICT, AIRPORT ROAD
ABUJA
olawumi.oluseye@scp-law.com

This writ was issued by V.O.M. Alonge (Mrs.), Dapo Akinosun, Bashiru Ramoni, Ayodele Sobayo and Olawumi Oluseye (Mrs.) of SimmonsCooper Partners whose address for service is Block A4, Flat A3 Wilbahi Estate, Kukwaba Distric, Airport Road, Abuja.

IN THE HIGH COURT OF THE FCT
HOLDEN IN ABUJA

SUIT No:

BETWEEN:

TAULAH INVESTMENT NIG. LTD
(ACTING THROUGH ITS LAWFUL ATTORNEY } PLAINTIFF
PASTOR (MRS) ESTHER JESULANKE)

AND

1. SENATOR OSITA IZUNASO } DEFENDANTS
2. MRS. GRACE IYANG }

STATEMENT OF CLAIM

1. The Plaintiff is a private limited liability company registered under the Laws of the Federal Republic of Nigeria and carries on business within the jurisdiction of this Honourable Court.
2. Pastor (Mrs.) Esther Jesulanke ("the Lawful Attorney") is a Nigerian and Clergy of Block 20 Flat 3, Moses Adasu Close Zone D Legislative Quarter Apo, Abuja (Cited as Block D6A Flat 3 Apo on the Certificate of Occupancy) ["the Property"].
3. The 1st Defendant is a Nigerian and a former Senator of the Federal Republic of Nigeria representing Orlu Senatorial Zone of Imo State of Nigeria.
4. The 2nd Defendant is a Nigerian and she was the original beneficial owner of the property known as Block 20 flat 3, Moses Adasu Close Zone D Legislative

Quarter Apo, Abuja (Cited as Block D6A Flat 3 Apo on the Certificate of Occupancy).

5. At all times material to this Suit, the Plaintiff has been the beneficial owner of the property known as Block 20, Flat 3, Moses Adasu Close Zone D Legislative Quarters Apo, Abuja.
6. Based on Paragraph 5 above the Plaintiff specifically avers that the 1st Defendant is liable to her for the untold hardship caused her as well as severe damages to her personal belongings and property occasioned by the 1st Defendant.
7. The action is based on the willful damage of the Plaintiff's property described as Block 20, Flat 3, Moses Adasu Close Zone D, Legislative Quarters Apo, Abuja by the 1st Defendant.

SYNOPSIS OF FACTS

8. Sometimes in January 2009, the 2nd Defendant- the initial beneficial owner of the property known as Block 20 Flat 3, Moses Adasu Close, Zone D Legislative Quarters Apo, Abuja ("the Property") offered to convey all her rights, interests and title in the property by an outright sale for a consideration of N36,000,000.00 (Thirty Six Million Naira Only) to any interested buyer.
9. The Plaintiff, through its lawful attorney, after conducting a search and carrying out due diligence on the property at the relevant land Registry raised a Bank PHB Draft of N36,000,000.00 (Thirty Six Million Naira Only) in favour of the 2nd Defendant as consideration for the purchase of the property. *The Plaintiff shall, at trial, rely on a copy of a manager's cheque dated 28/01/2009 evidencing full and final payment for the property.*
10. Consequent upon payment completion by the Plaintiff, the 2nd Defendant assigned to the Plaintiff, all her title, rights and interests in the property via a

Grace Iyang; therein claiming several declaratory reliefs against the 1st Defendant regarding the property in question. The 1st Defendant failed and or refused to join the Plaintiff as party to the suit despite being aware of the Plaintiff's ownership and possessory interest in the same property.

16. At all material time prior to the institution of this action, the Plaintiff, through its lawful attorney, had been in quiet and undisturbed possession of the property in question until sometime in August/October, 2015, when the 1st Defendant in the company of some men gained unauthorised and forceful access to the Plaintiff's property by breaking the doors. *The Plaintiff, shall at trial, rely on photographs of the Plaintiff's broken doors.*
17. Further to the preceding paragraph, the 1st Defendant and his men forcefully removed some of the Plaintiff's belongings and fittings from the property and scattered them outside the premises thereby subjecting them to damages and or theft. *The Plaintiff, shall at trial, rely on photographs of the Plaintiff's belongings and fittings.*
18. The 1st Defendant has severally attempted to take physical possession of the Plaintiff's property by forcefully dislodging the Plaintiff and its lawful attorney from the property. The 1st Defendant harassed and continues to harass the Plaintiff and its lawful attorney with security operatives.
19. WHEREOF the Plaintiff claims against the Defendants as follows:
 - a. A DECLARATION that the Plaintiff is a bona fide owner of all that demised property together with appurtenances situate at Block 20 Flat 3, Moses Adasu Close, Zone D Legislative Quarters, Apo, Abuja (cited as Block D6A Flat 3 Apo on the Certificate of Occupancy) [**"the Property"**].

- b. **A DECLARATION** that the 1st Defendant's entry into the Plaintiff's property at Block 20 Flat 3, Moses Adasu Close, Zone D, Apo Legislative Quarters Abuja is unlawful and an act of trespass.
- c. **A DECLARATION** that the forceful ejection of the Plaintiff from the property at Block 20 Flat 3, Moses Adasu Close, Zone D, Apo Legislative Quarters Abuja by the 1st Defendant is unlawful.
- d. **A DECLARATION** that the willful destruction of the Plaintiff's property described at Block 20 Flat 3, Moses Adasu Close, Zone D, Apo Legislative Quarters Abuja as by the 1st Defendant is unlawful.
- e. **AN ORDER** that the 1st Defendant vacate the Plaintiff's property at Block 20 Flat 3, Moses Adasu Close, Zone D, Apo Legislative Quarters Abuja which he has forcefully taken possession of.
- f. **AN ORDER** that the 1st Defendant cease and desist from further destroying the Plaintiff's property at Block 20 Flat 3, Moses Adasu Close, Zone D, Apo Legislative Quarters Abuja.
- g. **AN ORDER** of Perpetual Injunction restraining the 1st Defendant either by himself, his servants, agents and/or privies or howsoever described from interfering with the Plaintiff ownership and possession of the property at Block 20 Flat 3, Moses Adasu Close, Zone D Legislative Quarters, Apo, Abuja.
- h. The sum of N20,000,000.00 (Ten Million Naira Only) as special damages covering the cost of renovation of the property destroyed by the 1st Defendant.

- i. The sum of N10,000,000.00 (Twenty Million Naira Only) as special damages for the personal belongings of the Plaintiff which was damaged and misplaced by the 1st Defendant and his agents.
- j. The sum of N5,000, 000.00 (Five Million Naira Only) against the 1st Defendant as exemplary damages for willful and unlawful destruction of property.
- k. The cost of this action.
- l. Interest at 21% per annum until final liquidation of the judgment sum.

DATED THIS 7TH DAY OF DECEMBER 2015



V.O.M ALONGE (MRS.)

DAPO AKINOSUN

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PLAINTIFF'S COUNSEL

SIMMONS COOPER PARTNERS

BLOCK A4 FLAT A3 WILBAHI ESTATE

KUKWABA DISTRICT, AIRPORT ROAD

ABUJA

olawumi.oluseye@scp-law.com

FOR SERVICE ON:

THE 1ST DEFENDANT

NO 36, DENNIS OSADEBE CRESCENT

APO LEGISLATIVE CRESCENT

APO, ABUJA.

THE 2ND DEFENDANT

NO 6, NDANDE CRESCENT

OFF ACCRA STREET, OPPOSITE FEBSON MALL

WUSE ZONE 5, ABUJA

~~SWX~~