

IN THE HIGH COURT OF JUSTICE
OGUN STATE OF NIGERIA
IN THE IJEBU-ODE JUDICIAL DIVISION,
HOLDEN AT IJEBU-ODE
BEFORE THE HONOURABLE JUSTICE A.O. ASENUGA – JUDGE
DELIVERED ON THURSDAY THE 8TH DAY OF MARCH, 2018.

BETWEEN

SUIT NO: HCJ/18/2014

1. OTUNBA ABDULATEEF ADEBAYO OWOYEMI
(Otunba JADIARA OF Ijebu-Land and Head of
Fusengbuwa Ruling House of Ijebu-Ode)
2. PRINCE RASAKI OYELEGBIN AKEJU
3. ALHAJI LATEEF FOLORUNSHO AJUMO
4. OTUNBA YISAU OLADOKUN AJIDAGBA
(Otunba MUNIGBUWA of Ijebu-Land)
5. PRINCE ADELEKE ADEYEMI
(For themselves and on behalf of FUSENGBUWA Ruling House)

CLAIMANTS

AND

1. OTUNBA M.O. BALOGUN
2. ALHAJI O. SOTE

DEFENDANTS

1st, 2nd, 4th & 5th Claimants are present.

Defendants are absent.

Ajibola Omosanya Esq. appears for the Claimants.

O. Ayanlaja Esq. (SAN) for the Defendants



JUDGMENT

The Claim of the Claimants against the Defendants is contained in paragraph 45 of the 2nd Further and Better Amended Statement of Claim dated 13th March 2017 and filed on the same date. The claim goes as follows:-

- a. A declaration that it is only Fusengbuwa Ruling House of Ijebu-Ode of which Late Prince Fasasi Adeyemi of No. 1, Adebisi Adeyemi Close, Oliworo Quarters, Ijebu-Ode was the Olori Ebi or Head of Ruling House till he died on February 19th 2013, that is the competent and

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[Signature]
O. O. ODINLAMI
ASSISTANT CHIEF REGISTRAR

0086267
HIGH COURT OF OGUN STATE
IJEBU - ODE
Cashier's Name.....
Signature.....
Date..... 29-02-18

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the Awujale of Ijebu Land Chieftaincy. Part 5 of the Declaration provides that:-

“5(1) The Ruling House whose turn it is to provide a candidate shall nominate at a family meeting to be summoned by the family head or family heads a candidate or candidates for the Chieftaincy to be presented by the family head or family heads to the Odis”.

The Chieftaincy declaration recognizes plurality of family heads. The 1st Defendant under cross examination at a point said that he attends the ruling house meeting where Papa Adeneye was appointed as the Head of family, he stated further “I am the Head of a group of Fusengbuwa Ruling House, this implies that there are heads of some other groups. I am head of my own group” This means that there are different groups and their heads within the Fusengbuwa Ruling House, one group cannot query another in their activities so long as it is within their recognized custom. The Claimants have not been able to establish or lead evidence that there is an established procedure in the Fusengbuwa Ruling House as a body which must be followed in the appointment of a Head of Family for each group. The Claimants gave evidence of what obtains in their own group i.e. the person to be appointed as head of family must be a card carrying member and must attend their meetings regularly, that non attendance of their meeting by a member of the Ruling House does not mean that the person is not a member of the Ruling House. They tendered Exhibit P2 as the procedure by which the 1st Claimant was appointed.

Exhibit AA1 is the procedure by which 1st Defendant was appointed. In Exhibit P2 15 prominent members of the Ruling house made the appointment, in Exhibit AA1, 18 prominent members made the appointment.

On the whole, the Claimants have not been able to establish any laid down rules / procedure which the Fusengbuwa Ruling House as a body whereby the Head of family for each group is to be appointed and which was breached by the group of the 1st Defendant.

I hereby resolve issue 3 in favour of the Defendants.



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