

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE KANO JUDICIAL DIVISION
HOLDEN AT KANO
ON THURSDAY THE 20TH DAY OF JUNE, 2024.
BEFORE HIS LORDSHIP HON. JUSTICE A. M. LIMAN
JUDGE

SUIT NO. FHC/KN/CS/182/2024

BETWEEN:

ALHAJI AMINU BABBA DAN AGUNDI..... PLAINTIFF
(SARKIN DAWAKI BABBA)

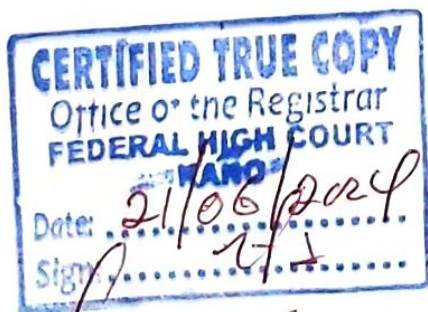
AND

1. KANO STATE GOVERNMENT
2. KANO STATE HOUSE OF ASSEMBLY
3. THE SPEAKER, KANO STATE HOUSE OF ASSEMBLY
4. ATTORNEY GENERAL OF KANO STATE
5. COMMISSIONER OF POLICE, KANO STATE
6. INSPECTOR GENERAL OF POLICE
7. NIGERIA SECURITY AND CIVIL DEFENCE CORPS
8. DEPARTMENT OF STATE SECURITY (DSS).....DEFENDANTS

ORDER

UPON this Motion on Notice dated and filed the 31st day of May, 2024 praying this Honourable Court for the following orders:

1. An order of this Honourable Court declaring null and void the conduct of the 2nd and 3rd Defendants in passing into law, the Kano State Emirate Council (Repeal) Law, 2024 in violation of the order of this Honourable Court.
2. An order of this Honourable Court setting aside the Kano State Emirate Council (Repeal) Law



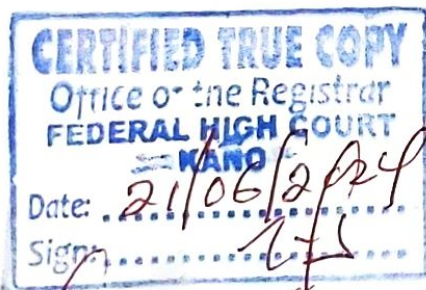
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(H&D) litigation*

passed by the 2nd and 3rd Defendants in violation of the order of this Honourable Court on the 24th day of May, 2024.

3. An order of this Honourable Court declaring null and void the appointment of Mallam Sanusi Lamido Sanusi as the 16th Emir of Kano State Emirate by the 1st and 4th Defendants pursuant to the provisions of the 23rd Kano State Emirate Council (Repeal) Law, 2024 in contravention of the order of this court made on the 23rd day of May, 2024.
4. An order setting aside the appointment of Mallam Sanusi Lamido Sanusi as the 16th Emir of Kano Emirate by the 1st and 4th Defendants pursuant to the provisions of the Kano State Emirate Council (Repeal) Law, 2024 despite being aware of the interim injunction given by this Honourable Court restraining same.
5. And for such further or other orders as the Honourable Court may deem fit to make in the circumstances.

Upon the following grounds:

1. That despite the service of the order, the Kano State Government (1st Defendant) refused to comply with the order and went ahead to appoint Mallam Sanusi Lamido Sanusi as the 16th Emir of Kano State Emirate on the 24th day of May, 2024.
2. That the above action violates the order of this court earlier stated.
3. That the balance of convenience is on the Applicant herein.
4. That the reinstatement of Mallam Sanusi Lamido Sanusi as the 16th Emir of Kano State Emirate was in violation of the Order of this Honourable Court made by the Honourable Court despite being aware of the interim



*A/Mar I Babag
(H20) Utigafem*

injunction given by this Honourable Court restraining same.

1st – 4th Respondents in opposition vide a counter affidavit dated and filed the 14th day of June, 2024 urge the Honourable Court to refuse the Plaintiff's application same being unmeritorious and should be dismissed.

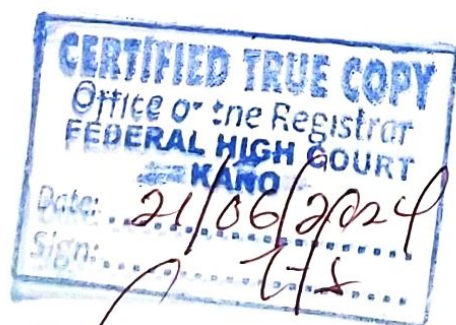
And after hearing C. Ojukwu (SAN) with A.S. Waziri Esq. for the Plaintiff/Applicant;

A.S. Wakil Esq. with U.M. Meduga Esq. and R. Suleiman Esq. for the 1st and 4th Respondents.

S.O. Ekwe Esq. with M. Umar Esq., A.D. Saleh Esq. and B. Garba Esq. for the 5th and 6th Respondents.

E. Fatogun (SAN) with I.I. Wangida Esq. and S.U. Jubril Esq. for the 2nd and 3rd Defendants, who at the hearing of the Motion recused themselves.

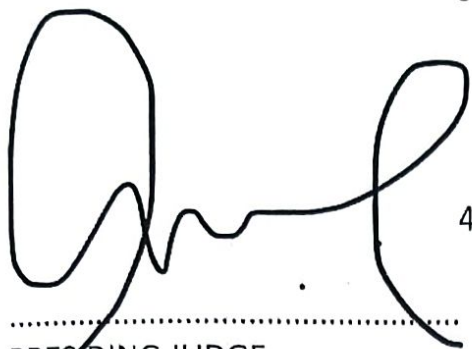
And this Honourable Court having delivered its Ruling.



Aminu I. Babu
(H.S.) Uteraka

IT IS HEREBY ORDERED AS FOLLOWS:

1. That every step taken by the Defendants in pursuance to the KANO STATE EMIRATE COUNCIL (Repeal) LAW, 2024 are hereby annulled and set aside.
2. That however, this order does not affect the validity of the KANO STATE EMIRATE COUNCIL (Repeal) LAW, 2024 which is the subject matter of the substantive suit.



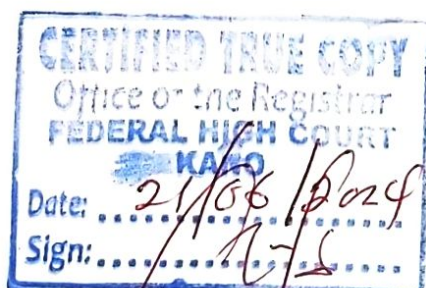
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PRESIDING JUDGE
HON. JUSTICE A. M. LIMAN

3. That the order sought by the Plaintiff which extends to the validity of the KANO STATE EMIRATE COUNCIL (Repeal) LAW, 2024 which is the subject matter of the substantive suit is hereby refused.
4. That the earlier order directing parties to maintain status quo ante still stands.

ISSUED AT KANO UNDER THE SEAL OF THE COURT AND THE
HAND OF THE PRESIDING JUDGE THIS 20th DAY OF JUNE, 2024.



IMOH BASSEY
REGISTRAR



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(HCO) litigation*