

**IN THE HIGH COURT OF ENUGU STATE OF NIGERIA
IN THE ENUGU JUDICIAL DIVISION
HOLDEN AT ENUGU
BEFORE HIS LORDSHIP HON. JUSTICE C. O. AJAH Ph.D
ON WEDNESDAY THE 12TH DAY OF FEBRUARY, 2025.**

BETWEEN:

SUIT NO: HAMA/1/2024

1. HON. EMMANUEL EDEH
2. MR. NWOSU JOHN
3. MR. OGBONNA IGBUDU
4. MR. NWANKWO SAMUEL
(For themselves and representing
the Legally recognized Mburubu Town
Union (MTU))
5. CHIEF NWEKE O. CHUKWU
Prime Minister/ Onowu of Mburubu Town.
(for himself and representing the Igwe's
Cabinet of Mburubu Town).
6. CHIEF RAPHAEL CHUKWU
(Representing Uhuegbu Village
Whose turn it is to produce the next Igwe
Of Mburubu Town).
7. HIGH CHIEF LINUS EJIMOFOR IGBUDU

- PLAINTIFFS

AND

1. ARC. CHIJOKE NWACHUKWU
2. OBINNA OKONKWO
(For themselves and representing a purported group
with the name Mburubu General Assembly)
3. OZO JERRY PATRICK ONUOKAIBE
4. ATTORNEY GENERAL OF ENUGU STATE
5. COMMISSIONER FOR CHIEFTAINCY
AFFAIRS ENUGU STATE

- DEFENDANTS

JUDGEMENT ORDER

Upon the Amended Statement of Claim of the Plaintiffs filed on 26/11/2024 and the Amended Statement of Defence of the 1st and 2nd Defendants filed on 6/12/2024; and the 3rd Defendant's Statement of Defence filed on 14/11/2024; and the Statement of Defence of the 4th and 5th Defendants dated 14/5/2024.

C. O. Ajah, Ph.D

Judge



CERTIFIED TRUE COPY

ONOH P. U

SENIOR REGISTRAR

SIGN

DATE

[Signature]
12/2/2025

IN THE HIGH COURT OF ENUGU STATE OF NIGERIA
IN THE HIGH COURT OF AMAGUNZE JUDICIAL DIVISION
HOLDEN AT AMAGUNZE
BEFORE HIS LORDSHIP, HON JUSTICE J.L.C. OKIBE
ON FRIDAY THE 10TH DAY OF OCTOBER, 2025.

SUIT NO. HAMA/24/2025

BETWEEN:

1. HIGH CHIEF LINUS EJIMOFOR IGBUDU
2. CHIEF RAPHAEL CHUKWU
(Representing Uhuagha Village whose turn it is to produce the next Igwe of Mburubu Town)

AND

OZO JERRY PATRICK ONUOKAIBE

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DEFENDANT/RESPONDENT

ORDER:

UPON THIS APPLICATION BY MOTION EX-PARTE dated the 25th day of September, 2025 and filed on the 29th day of September, 2025, brought pursuant to Order 38 Rules 2 of the High Court Rules of Enugu State 2020 and under the Inherent Jurisdiction of this Honourable Court, praying for:

- (a) An Order of Interim Injunction restraining the Defendant his agents, associates or any group howsoever describe from organizing or holding the new yam festival of Mburubu Town fixed by the Defendant on 1st day of November, 2025 as the Igwe Elect of Mburubu Town, pending the determination of Motion on Notice filed along with this application.

AND AFTER HEARING the submissions of Ike Ozor Esq., Learned Counsel for the Applicant;

THIS COURT HEREBY ORDERS AS FOLLOWS:

1. That Motion Ex-parte is granted as prayed.
2. That an Order of Interim Injunction is granted restraining the Defendant, his agents, associates or an group howsoever described from organizing or holding the new yam festival of Mburubu Town fixed by the Defendant on 1st day of November, 2025 as the Igwe Elect of Mburubu Town, pending the determination of Motion on Notice filed along with this application.
3. That this suit is adjourned to 24th day of October, 2025 for hearing of Motion on Notice.

ISSUED AT Amagunze, under the Seal of Court and Hand of the Presiding Judge this 10th day of October, 2025.



[Signature]

J.L.C. OKIBE
(JUDGE)



*Certification
of 2 folios at
N60 per folio
N100 Seal N300*

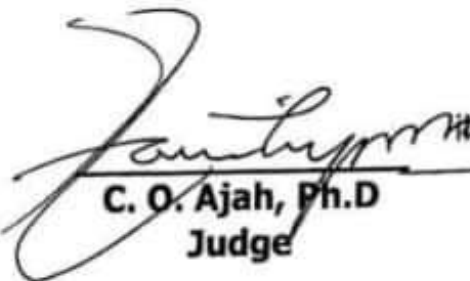


[Signature]
A.N. UGWU
Senior Registrar

AND After Hearing the evidence of the parties and the exhibits tendered therein, and the submissions of counsel to the parties,

THE COURT HEREBY ORDERS AS FOLLOWS:

1. That Judgement is hereby entered in favour of the Plaintiffs in the terms of their claims in paragraph 35 of their amended Statement of Claim.
2. That all the reliefs claimed in paragraph **35(1) (2) (3) (4) (5) (6) (7) (8) (9) (12) (13) and (14) of the Plaintiffs amended Statement of Claim are hereby granted exactly as prayed as follows:**
 - i. That the Mburubu Town Union Executives represented by the **1st, 2nd, 3rd and 4th Plaintiffs**, the Igwe's Cabinet represented by the 5th Plaintiff and Uhuegbe village whose turn it is to produce the next Igwe of the Community are the bodies with the exclusive functional roles in the selection, screening and election of new Igwe of Mburubu Town in accordance with **Section 11 of the traditional rulers Law Cap. 151 Revised Laws of Enugu State 2004 and Section 9 and 10 on the establishment of traditional offices of the Constitution of Mburubu Town Union 2003.**
 - ii. That the presentation of Igwe Elect of Mburubu Town is the responsibility of the **Nze's and ozo's of the Six Villages of Mburubu Town, the Chairman and Secretary of the Screening Committee and the Traditional Prime Minister and the President of Mburubu Town Union represented by the 1st and 5th Plaintiffs in accordance with Section 11 on the establishment of traditional offices of the constitution of Mburubu Town Union 2003.**
 - iii. That Mburubu General Assembly represented by the 1st and 2nd defendants is not a legally recognized Mburubu Town Union and therefore has no functional roles in the selection, screening, election and presentation of Igwe Elect of Mburubu Town Union under the constitution of Mburubu Town Union 2003.


C. O. Ajah, Ph.D
Judge

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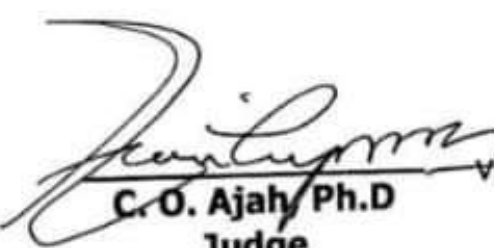
ONOH P. U

SENIOR REGISTRAR

SIGN 

DATE 17/02/2025

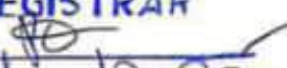
- iv. That the act of the 1st and 2nd defendants constitute themselves into unknown and unrecognized Mburubu Town Union to purport to have elected and presented the 3rd defendant as Igwe Elect of Mburubu Town Amounts to subversion of the provisions of the Constitution of Mburubu Town Union 2003 or the 1976 Constitution and therefore null and void.
- v. That the 3rd defendant having not come from Uhuegbe Village, being the next senior village to produce the Igwe in line with the Constitution is not qualified to contest for the Igweship of Mburubu Town.
- vi. That any purported election and presentation of the 3rd defendant by the self acclaimed Mburubu General Assembly represented by the 1st and 2nd defendants being an act ultravires the powers of the 1st and 2nd defendants and an unholy usurpation of the powers of the plaintiffs is hereby set aside.
- vii. That the process of election of the Igwe of Mburubu Community under the 1976 Constitution commenced by rotation from the eldest village being Umudara Village which produced HRH Late Igwe E. M. O. Eze,
- viii. That having commenced the rotation of the Igwe of Mburubu Community under the 1976 Constitution from Umudara Village being the eldest, the next Igwe of the Community shall come by rotation from the next eldest village being Uhuegbe Village where the 7th Plaintiff came from.
- ix. That the 4th and 5th Defendants shall only recognize an Igwe Elect from the second eldest village, being Uhuegbe Village in line with either the 1976 Constitution of Mburubu Autonomous Community or 2003 amended Constitution of Mburubu Town Union.
- x. That any purported election conducted or supervised by the 5th defendant purporting to have elected any Igwe for Mburubu Community during the pendency of this suit when the process as to whether the seat will be zoned to the 2nd eldest village by process of rotation where only eligible contestants from the village will be qualified to contest the election or whether the seat will be thrown open for every eligible


C. O. Ajah, Ph.D
Judge

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SIGN 

DATE

17/12/2023

contestants from the Community is yet to be determine, is hereby set aside.

xi. That the 3rd defendant is hereby restrained from parading himself or holding out himself as the Igwe Elect of Mburubu Town.

xii. That the 1st and 2nd defendants or any other person or group from Mburubu Town are hereby restrained from addressing or referring to the 3rd defendant as Igwe Elect of Mburubu Town.

3. That in respect of the relief claimed by the Plaintiffs in paragraph 35(10) of their Amended Statement of Claim, the court hereby orders the 1st to 6th Plaintiffs to immediately within the next 21 days to conduct an election for the production of the next Igwe of Mburubu Town or Community for the candidate from Uhuegbe Village only whose turn it is to produce the next Traditional Ruler of Mburubu and if the 7th Plaintiff is the sole candidate, he should then be returned unopposed in accordance with the provisions of the Traditional Rulers Laws of Enugu State 2004 and Exhibit PI on record and such election must be supervised by the 5th defendant or his representative or representatives.

4. That in respect of the relief claimed in paragraph 35(15) of the Plaintiffs' Amended Statement of Claim, the defendants are hereby jointly ordered to pay the sum of N500,000.00 (Five Hundred Thousand Naira) only, to the Plaintiffs for all the embarrassments they caused the Plaintiffs and Mburubu Community in general.

5. That since the 1st and 2nd defendants failed to prove any iota of their counter claim, all the counter claims of the 1st and 2nd defendants are hereby accordingly dismissed as lacking in merit.

Issued at Enugu under the Seal of Court and the Hand of the presiding Judge this 12th day of February 2025.

J. I. AGU ESQ
D.C.R (1)



Plaintiff
2119620
17-2-2025

C. O. Ajah, Ph.D
Judge



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ONOH P. U
SENIOR REGISTRAR
SIGN
DATE 17/2/25

Certification of 7 folios
at ₦50 per folio = ₦350
Seal - ₦200
PO 17/2/25