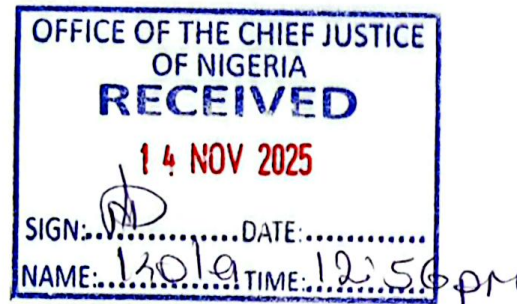




25, Adekunle Fajuyi Way, Ikeja
G.R.A, Obafemi Awolowo Way,
Ikeja, Lagos State

13th November, 2025.

The Honourable Chief Justice of Nigeria and Chairman,
National Judicial Council,
Supreme Court Complex,
Three Arms Zone,
Federal Capital Territory,
Abuja,
Nigeria.



Your lordship,

JUDICIAL IMPASSE IN IMO STATE: SUBJUGATION OF THE POWERS OF THE ACTING CHIEF JUDGE BY THE IMO STATE HOUSE OF ASSEMBLY.

We, the undersigned members of the Save the Judiciary Coalition, write this petition with a profound sense of duty and urgency. As advocates committed to the preservation of judicial independence, integrity, and the rule of law in Nigeria, we are compelled to bring to your esteemed attention the ongoing crisis in the judiciary of Imo State.

This situation, characterised by executive overreach, legislative manipulation, and blatant disregard for constitutional norms, threatens the very foundation of justice delivery in that state and, by extension, undermines public confidence in the judicial system nationwide.

Our coalition has been monitoring developments in Imo State's judiciary with a growing alarm, particularly under the administration of the current governor, Senator Hope Uzodinma. What began as isolated instances of interference has evolved into a systematic pattern of subjugation, culminating in the recent exhumation of an amendment to the Imo State High Court Law, called High Court [Amendment] Law No. 16 of 2022. This purported amendment, dated 22 July 2022, alters section 42[2] to vest the duty of assigning cases in the Chief Registrar during the absence of a substantive Chief Judge. For ease of reference, the relevant portion of the said amended law is attached hereto as Annexure A.

Remarkably, this provision remained unknown to the legal community and even key stakeholders in the judiciary until after the swearing in of the Acting Chief Judge on 26 September 2025.

- Jibrin Samuel Okutepa, SAN
- Femi Falana, SAN
- Adeyinka Olumide-Fusika, SAN
- Ebun-Olu Adegboruwa, SAN
- Funmi Falana, SAN.

- kunle Edun, SAN
- Prof. Chidi Odinkalu
- Femi Aborisade Esq.
- Malachi Ugwummadu Esq.
- John Alkpokpo-Martins Esq.

- Bayo Akinlade Esq.
- Chinedu Agu Esq.
- Nelson Olanipekun Esq.
- Inibehe Effiong Esq.
- Martins Obono Esq



25, Adekunle Fajuyi Way, Ikeja
G.R.A, Obafemi Awolowo Way,
Ikeja, Lagos State 4.

We respectfully urge Your Lordship to investigate this matter thoroughly, as the circumstances surrounding the emergence of this law strongly suggest it may have been back dated to serve ulterior motives, thereby eroding the authority of the Acting Chief Judge and perpetuating a state of paralysis in the administration of justice.

To provide context and underscore the gravity of this petition, we deem it essential to chronicle the sequence of events that have plagued the Imo State judiciary since the compulsory retirement of the former Chief Judge, Hon. Justice T.E. Chikeka, in November 2024. This retirement, recommended by the National Judicial Council, created a vacuum that ought to have been filled promptly in accordance with s.271[4] of the 1999 Constitution of the Federal Republic of Nigeria. However, the governor's handling of the matter was marked by procrastination, selective compliance, and outright defiance of directives from the NJC.

It required considerable high-level persuasions, including legal actions initiated by concerned parties in the state to compel the governor to appoint an Acting Chief Judge. Regrettably, on 2 April 2025, the governor swore in Honourable Justice T.N. Nzeukwu, who was the fourth most senior judge, rather than the most senior as required by the constitution. This anomalous appointment set the stage for further discord and highlighted the governor's inclination to prioritise personal preferences over constitutional observance and merit.

In response to this irregularity, the National Judicial Council, at its 108th meeting held from 29 to 30 April 2025, issued a clear directive to the governor to reverse the appointment of Honourable Just T.N. Nzeukwu and to swear in the most senior judge forthwith. The Council's position was unequivocal, aimed at restoring order and upholding the sanctity of judicial appointments. In a seeming gesture of compliance, the Governor, through his official spokesman, released a statement affirming his intention to adhere to the directive. Yet, this proved to be mere rhetoric, as no action was taken to implement the Council's directive. This refusal not only prolonged the leadership vacuum but also exacerbated tensions within the judiciary, leaving litigants and legal practitioners in a state of uncertainty.

The impasse persisted until 26 June 2025, when the National Judicial Council, in a decisive move, compulsorily retired Honourable Justice T.N. Nzeukwu, along with nine other judges of Imo State. In its communique from that session, the Council reiterated its earlier directive, emphatically instructing the Governor to swear in the most senior judge, Honourable Justice Ijeoma Agugua, as Acting Chief Judge. This reiteration underscored the Council's frustration with the governor's intransigence and served as a stern reminder of the imperative to maintain judicial continuity. Despite this, the governor continued to dither, failing to act on the directive for several weeks.

■ Jibrin Samuel Okutepa, SAN
■ Femi Falana, SAN
■ Adeyinka Olumide-Fusika, SAN
■ Ebun-Olu Adegboruwa, SAN
■ Funmi Falana, SAN.

■ kunle Edun, SAN
■ Prof. Chidi Odinkalu
■ Femi Aborisade Esq.
■ Malachi Ugwummadu Esq.
■ John Alkpokpo-Martins Esq.

■ Bayo Akinlade Esq.
■ Chinedu Agu Esq.
■ Nelson Olanipekun Esq.
■ Inibehe Effiong Esq.
■ Martins Obono Esq



25, Adekunle Fajuyi Way, Ikeja
G.R.A, Obafemi Awolowo Way,
Ikeja, Lagos State

It was only on 23 July 2025 that the governor purported to announce the appointment of Honourable Justice Ijeoma Agugua as Acting Chief Judge.

However, even this announcement was not followed by the necessary swearing in ceremony, which is a fundamental step to confer legitimacy and operational authority on the appointee. The delay in swearing her in persisted inexplicably until 26 September 2025, a period of over two months during which the judiciary languished without effective leadership. This protracted inaction raises serious questions about the governor's commitment to the administration of justice and suggests a deliberate strategy to weaken the institution.

It is against this backdrop of chronic delays and noncompliance that the aforementioned amendment to the Imo State High Court Law has surfaced. Purportedly enacted in July 2022, the amendment shifts the responsibility for case assignments to the Chief Registrar in the absence of a substantive chief judge. The timing of its revelation, immediately following the swearing in of the Acting Chief Judge on 26 September 2025, invites scrutiny. No one, including past Chief Judges, members of the Nigerian Bar Association in Imo State, or the broader legal community, was aware of this provision until this recent juncture. This lack of awareness is particularly telling, as it implies the law was not promulgated or gazetted in the manner expected of legitimate legislation.

Further interrogating the authenticity of this amendment, we note inconsistencies in its application that strongly suggest it may have been back dated. For instance, between 2 April 2025 and 30 April 2025, Honourable Justice T.N. Nzeukwu, serving as Acting Chief Judge, actively assigned cases without any reference to or reliance on this supposed law. If the amendment had indeed been in force since July 2022, one would expect it to have governed the assignment process during that period of interim leadership. Yet, no such application occurred, and the Chief Registrar did not assume this role.

Similarly, from 1 May 2025 to 25 September 2025 [a span marked by the absence of any Chief Judge following the retirement of Honourable Justice T.N. Nzeukwu] the Chief Registrar did not assign any cases, contrary to what the amendment would mandate if it were genuinely operative. This omission further casts doubt on the law's provenance and indicates it was perhaps contrived post facto to justify the ongoing disruptions.

We respectfully submit that this purported amendment must be examined in the light of section 271[4] of the Constitution of the Federal Republic of Nigeria 1999 (as amended). This constitutional provision vests the power to perform the functions of the office of the substantive chief judge on an acting chief judge appointed in his absence until the former has resumed those functions and requires that such an appointee shall exercise the full powers of the office, including administrative functions like case assignments.

■ Jibrin Samuel Okutepa, SAN
■ Femi Falana, SAN
■ Adeyinka Olumide-Fusika, SAN
■ Ebun-Olu Adegboruwa, SAN
■ Funmi Falana, SAN.

■ kunle Edun, SAN
■ Prof. Chidi Odinkalu
■ Femi Aborisade Esq.
■ Malachi Ugwummadu Esq.
■ John Aikpokpo-Martins Esq.

■ Bayo Akinlade Esq.
■ Chinedu Agu Esq.
■ Nelson Olanipekun Esq.
■ Inibehe Effiong Esq.
■ Martins Obono Esq



25, Adekunle Fajuyi Way, Ikeja
G.R.A, Obafemi Awolowo Way,
Ikeja, Lagos State

By divesting the Acting Chief Judge of the authority to assign cases and reassigning it to the Chief Registrar, the Imo State House of Assembly appears to have encroached upon constitutional territory, potentially rendering the amendment ultra vires. This legislative overreach not only diminishes the role of the Acting Chief Judge but also contravenes the principle of separation of powers, as it allows the executive and legislative arms to undermine judicial autonomy. The Constitution envisages a robust interim leadership to ensure seamless justice delivery, not a diluted office susceptible to manipulation.

The implications of this contrived impasse on the justice sector in Imo State are dire and far-reaching. Since 30 April 2025, when the former Acting Chief Judge departed, no new cases have been assigned, plunging the judiciary into a state of inertia. Litigants, many of whom seek redress for urgent matters such as fundamental rights enforcement, commercial disputes, and criminal proceedings, have been left in limbo. This paralysis has engendered confusion, eroded public trust, and inflicted untold hardship on citizens who rely on the courts for justice in that state.

The backlog of unassigned cases continues to mount, threatening to overwhelm the system even further and potentially leading to miscarriages of justice.

Moreover, by fostering an environment of uncertainty, this situation emboldens executive interference and sets a dangerous precedent that could be replicated in other states, thereby jeopardising the national judicial framework.

In view of the foregoing, we earnestly beseech Your Lordship, in your dual capacity as Chief Justice of Nigeria and Chairman of the National Judicial Council, to intervene expeditiously. We pray that the Council investigates the authenticity and timing of the amendment to the Imo State High Court Law, including whether it was indeed enacted in July 2022 or back dated to subvert judicial processes.

We further urge the Council to direct the governor to cease any actions that undermine the authority of the Acting Chief Judge. Additionally, measures should be taken to restore normalcy in case assignments and to safeguard the independence of the judiciary in Imo State.

Should Your Lordship fail to act decisively within fourteen (14) days of receipt of this petition, we shall have no alternative but to seek immediate judicial redress before a court of competent jurisdiction, praying for declarations of constitutional breach, mandamus to compel compliance, and such further reliefs as may restore the dignity and functionality of the Imo State judiciary.

■ Jibrin Samuel Okutepa, SAN
■ Femi Falana, SAN
■ Adeyinka Olumide-Fusika, SAN
■ Ebun-Olu Adegboruwa, SAN
■ Funmi Falana, SAN

■ Kunle Edun, SAN
■ Prof. Chidi Odinkalu
■ Femi Aborisade Esq.
■ Malachi Ugwummadu Esq.
■ John Alkpoko-Martins Esq.

■ Bayo Akinlade Esq.
■ Chinedu Agu Esq.
■ Nelson Olanipekun Esq.
■ Inibehe Effiong Esq.
■ Martins Obono Esq.



SAVE THE
JUDICIARY
COALITION

25, Adokunle Fajuyi Way, Ikeja
G.R.A, Obafemi Awolowo Way,
Ikeja, Lagos State

We trust in Your Lordship's unwavering commitment to upholding the rule of law and preserving the sanctity of our judicial institutions.

Yours faithfully,

Jibrin Samuel Okutepa, SAN

Femi Falana SAN

For: Save the Judiciary Coalition

- Jibrin Samuel Okutepa, SAN
- Femi Falana, SAN
- Adeyinka Olumide-Fusika, SAN
- Ebun-Olu Adegboruwa, SAN
- Funmi Falana, SAN

- Kunle Edun, SAN
- Prof. Chidi Odinkalu
- Femi Aborisade Esq.
- Malachi Ugwummadu Esq.
- John Alkpokpo-Martins Esq.

- Bayo Akinlade Esq.
- Chinedu Agu Esq.
- Nelson Olanipekun Esq.
- Inibeho Effiong Esq.
- Martins Obono Esq.