

IN THE SUPERIOR COURT OF JUDICATURE, IN THE HIGH COURT OF  
JUSTICE  
LAND DIVISION HELD IN ACCRA ON FRIDAY THE 9<sup>TH</sup> DAY OF JUNE, 2017.  
BEFORE HIS LORDSHIP JUSTICE S. H. Ocran

SUIT NO. LD/0111/2017

PLAINTIFF

DAMENSHIE-BROWN YAO =====

VRS.

1. SHAIBUALI ===== DEFENDANTS  
2. NII AYS  
3. JUSTICE ASHIEFIE MENSAH

PARTIES: PLAINTIFFS LAWFUL ATTORNEY PRESENT

NII AMARTEY ARMAH REPRESENT 1<sup>S</sup> AND  
DEFENDANT. 2ND DEFENDANT PRESENT

COUNSEL: MR. DELLA BLAGODZI WITH BERNICE MAWUSIKPODO  
FOR PLAINTIFF APPLICANT

RULING

The Plaintiff-applicant is by this application applying for an order of interlocutory injunction against the Defendants Respondents from interfering, constructing and or entering upon the land in dispute pending the final determination of this suit. The Plaintiff applicants traced his root of title from Iddrisu Ayaa Tettey who also traced his root of title from a deed of Gift by Peter Mensah Anteh, as the head and lawful representative of the Odai Ntow Family of Ashongman, on 5<sup>th</sup> January 1979. The said Ayaa Kwabla is said to have died intestate on or about 19<sup>th</sup> September 1984. With the death intestate of Ayaa Kwabla on 19<sup>th</sup> September 1984, the properties of Ayaa Kwabla including this land became family property even if the land was properly gifted to Ayaa Kwabla by Peter Mensah Anteh.

I have however had an opportunity to comment on the deed of Gift by Peter Mensah Anteh to Ayaa Kwabla, and held that that Deed of Gift did not pass any title to Ayaa Kwabla. If therefore nothing was passed on to Ayaa Kwabla then the estate of Ayaa Kwabla could not transfer portions of the deed of gift to developers. In that Judgment I found that Peter Mensah Anteh's son was Ayaa Kwabla and wondered how a father can

