

# NII ODAI NTOW FAMILY

## CUSTOMARY LANDS

NII ODAI NTOW

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### **PRESS CONFERENCE BY THE NII ODAI NTOW CUSTOMARY LAND SECRETARIAT TUESDAY 15<sup>TH</sup> AUGUST, 2023**

- 1.** In the past week or so the media space has been awashed with news concerning Nii Odai Ntow Family Lands in Kwabenya, Ashongman, Agbogba, Dome, Haatso and Katapor.
- 2.** The Nii Odai Ntow Family through the Customary Land Secretariat wishes to address certain **ILLEGALITIES AND INACCURANCIES** that are running in the media and of course, the public space. These are the purported resolution of Kwabenya land disputes as captioned by some new papers and the illegal and contemptuous re-demarcation of Nii Odai Ntow family lands.
- 3.** Indeed, and in fact, Kwabenya land disputes have been, and are being resolved by the courts through the many court judgments that have come the way of the Nii Odai Ntow family.
- 4.** Firstly, we wish to state emphatically that, there is an established body known as The NII ODAI NTOW CUSTOMARY LAND SECRETARIAT. This body was established in June, 2013 and inaugurated by the then Administrator of Stool lands with all elders of the Nii Odai Ntow family present. This was in fulfilment of what was to be provided for in **Section 14 of the Land Act 2020, Act 1036**. This means that, the

family was visionary and had the foresight in establishing the Nii Odai Ntow Customary Land Secretariat.

5. It needs to be emphasized that, there is only one accredited **Nii Odai Ntow Customary Land Secretariat** which is located at Kwabenya (venue of this Press conference). **2 X**
6. The Odai Ntow family are owners of lands situate, lying and being at Ashongman, Kwabenya, Agbogba, Dome, Haatso, Katapor and others as per judgment of His Honour Sir Brandford Griffith Knight, Chief Justice of the Supreme Court of the Gold Coast in 1904 in suit entitled **A. Bosumpim and Others vrs Martei and Others** as well as judgment in suit entitled **Peter Mensah Anteh vrs Simeon Aryeetey G.S. Okine and Another in Suit No. L 554/1978**, delivered on the 30<sup>th</sup> January, 1980 by His Lordship Justice K.A. Agyepong (of blessed memory).
7. By the combined effect of the 1904 and the 1980 judgments, the Odai Ntow family has a total land of approximately **22,000 acres/8,903.08 hectares**.
8. The Odai Ntow family land is bounded to the South West by the Asere lands, to the West by Ofakor lands, to the West by Pokuase lands, to the North West by the Anyiodusi Cottage and Dedeman, to the North by the Berekusu lands, to the North East by the Akporman and Boi lands, North East by the Ablajei lands, South East by the University of Ghana Legon land, to the South by Onamrokor Adain family lands.
9. The Odai Ntow family is made up of four (4) quarters/branches namely; Nii Abbey we, Ashong Djemawon, Tetteh Afrimie and Anteh Kwakonam families.
10. Ladies and Gentlemen of the Press, we shall now take turns to respond to the following families: (i) The Nii Kofi Apenteng Family of Pokuase Otublohum, (ii) The Swaniker Family of Osu, (iii) The Nii Ngleshie Addy Family (iv) Nii We Family of Kwabenya.

#### **11. THE NII KOFI APENTENG FAMILY OF POKUASE OTUBLOHUM**

The Nii Odai Ntow family and others have emerged victorious against the Nii Kofi Apenteng Family of Pokuase Otublohum in a High Court judgment dated 9<sup>th</sup> February, 2022, in suite No. L/254/99 entitled;

**Ofei Kwaku Mante (substituted by) Rev. Alexander Aryee Quaye (Also substituted by) Nii Amoo Mante**

**Vs.**

**Mike Similao and four (4) others.**

12. In the said judgment the court granted Defendants (Mike Similao & Nii Odai Ntow Family) counter claim for declaration of title to all that parcel of land, situate at South West Kwabenya (Franko Estate Area) containing on area of Four Hundred and Thirty-nine (439) acres. The court also perpetually injuncted the Plaintiff's (The Nii Kofi Apenteng family) agent, agents, representatives

the Plaintiffs (The Nii Kofi Apenteng family) agent, servants, representatives and assigns from interfering with the such property described above. The court also granted recovery of possession to the Defendants (including Nii Odai Ntow Family). In fact, Nii Odai Ntow are the grantors of Mike Similao.

**13.** The Court also declared that, any purported sale of the land in dispute by the Plaintiff (Nii Kofi Apenteng family) is **Null and Void**.

**14.** In this case, the Nii Kofi Apenteng Family could not convince the court about their root of title for which reason the court gave judgment in favour of the Defendants (including Nii Odai Ntow Family) and ordered for recovery of possession of the disputed land.

**15.** In a recent Supreme Court decision in a case entitled **The Republic Vrs. High Court Accra Ex-Partee; Mc Similar Co. Ltd and 2 Others (Civil Motion No. J5/38/2023)**.

The Supreme court quashed by certiorari the High Court ruling dated 23<sup>rd</sup> December, 2022 which order was issued by **His Lordship Justice Emmanuel Amo Yartey** for lack of Jurisdiction. This included a High Court order to reproduce plan and to set out common boundary based on the 1904 judgement entitled Bosompim & other Vrs Martei and others.

**16** Ladies and Gentlemen of the Press, in spite of the above Supreme Court decision, the Nii Kofi Apenteng family and its cohorts including the Lands Commission represented by one Mr. George Atakora Ayi (Director of Dispute Survey and Mapping) went onto the Nii Odai Ntow family land to demarcate our boundaries for us albeit, illegally. It is to be noted that, this act by the Nii Kofi Apenteng family and its cohorts is not only illegal, but contemptuous and abominable in the face of the ruling on the Certiorari application by the Supreme Court decision dated 24

<sup>th</sup> May, 2023. Even though the order by His Lordship Justice Emmanuel Amo Yartey dated 23<sup>rd</sup> December, 2022 had been quashed by the Supreme Court, the Apex Court of the land and for that reason the order of Justice Amo Yarty no longer exist, the Nii Kofi Apenteng family and George Atakora purported to execute a non-existent order.

**17** Indeed, the Nii Odai Ntow family were shocked and surprised to see the Nii Kofi Apenteng family and the Chief of Nii Wo family of Kwabenya and some

Kofi Apenteng family and the Chief of Nii We family of Kwabena and some disgruntled families (Nii Ngleshie Addy, Swaniker, Nii Kofi Apenteng and Ga, Gbese & Korle) in a press conference after a purported illegal re-demarcation of Nii Odai Ntow lands based on an impugned High Court ruling dated 23<sup>rd</sup> December, 2022.

### **18NII NGLESHIE ADDY FAMILY**

This family have lost over ten (10) cases to the Nii Odai Ntow family including, Supreme Court, Court of Appeal, High Court, Circuit Court etc. In the famous consolidated case, entitled; **Nii Ngleshie Addy Vrs. Tettey Iddrisu, Captain Salifu Vrs. John Armah Mensah, TT Mensah (Substituted by Moses Tawiah Aryee) and Asafoatse Amarlai.**

**19.** In a suit No. L442 / 98 and suit No. L678/2002, In the High Court dated 10<sup>th</sup> March 2017, this family failed woefully to prove their root of title. This can be found at page 10 of the judgement. They could not prove their claim that they acquired the disputed land through Conquest, Reward and Settlement.

**20.** The Court restrained the Nii Ngleshie Addy family, their assigns, servants, agents or any persons claiming through them from interfering with the occupation and enjoyment of NII ODAI NTOW FAMILY LANDS.

**21.** The Court also held that Nii Ngleshie Addy Land Certificate No. 06/X2813 was obtained by Fraud or Mistake and as such **ORDERED** the Land Title Registry to expunge same.

### **22. SWANIKER FAMILY**

In the recent decision of the Court of Appeal in suit No. H1/31/2023 dated 13

<sup>th</sup> July, 2023 entitled **The Church of Theatricals Domain, Kate Swaniker Vrs. Solomon Tettey, Land Commission, Nii Odai Ntow Family** the Court held that, the Plaintiff had no legal capacity in commencing the suit at the High Court.

**23. The Swaniker family claims their root of title from Nuumo Nmashie family from Teshie.**

**24.** In a recent Supreme Court Judgement dated 23<sup>rd</sup> March, 2023 entitled **Boi Stool and Thirteen (13) other Vs. Daniel Addo Quaye, Benjamin Tetteh Addo & Nuumo Nmashie Family**, the court ordered that the name of the 3<sup>rd</sup> Defendant (Nuumo Mashie family) be deleted from the records of the

Lands Commission as **not being owners of the land in dispute**. At page 24 and Paragraph 49 of the such judgement, the 3<sup>rd</sup> Defendant's (Nuumo Mashie family's) own witness admitted that the Ashongman lands belong to the Nii Odai Ntow family.

25. Ladies and Gentlemen of the Press, it is instructive to note that. It is this Nuumo Mashie family that the Swaniker family claim to be their grantor.
26. From the foregoing, it is clear therefore that the Swaniker family has no legs to stand on as it's supposed grantors has been declared by the Supreme Court to have no lands in Ashongman and Kwabenya.
27. The big question now is **WHERE IS SWANIKER FAMILY'S ROOT OF TITLE TO THE LAND THEY CLAIM THEY OWE?**

## **28. NII WE FAMILY**

We, as members of Nii Odai Ntow family were indeed surprised, astonished and flabbergasted to see members of Nii We family in the dock testifying against Nii Odai Ntow family in the Nii Kofi Apenteng case above. In the said case Mr. Benjamin Nyarko (Benyak) and Samuel Ankamah Aryee even agreed with the court and admitted under oath that the Nii Odai Ntow Family are the owners of Kwabenya and Ashongman lands.

29. Our surprise and astonishment were heightened when we again saw the Chief of Nii We of Kwabenya, Nii Kwao Oboabasa at the press conference organized by those disgruntled families above, after their illegal and ill-minded demarcation. The conduct of these persons is a clear sign that they are frustrated and disappointed, and as such cannot hide their hatred against the Nii Odai Ntow

family due to the successes the Nii Odai Ntow family has chalked with all the land cases in the past and in recent times.

30. It is important to mention that the above-named persons were also behind the High Court suit No. SOL/79/15 entitled

**Nuumo Okai (I) Korle Wulomo (suing for himself and on behalf of Ga, Gbese and Korle Stools) Vrs.**

1. **Moses Tawiah Aryee**
2. **Evans Anteh**
3. **George Ankonu Adjin Tettey**
4. **Joshua Odai Armah**
5. **Lands Commission**

**31.** These two gentlemen (Mr. Benjamin Nyarko (Benyak) and Samuel Ankamah Aryee) were the main financiers in the above case and the Nii Odai Ntow Family emerged victorious in the case.

## **32. THE LAND COMMISSION AND ITS STAFF**

Ladies and gentlemen, whilst we want to acknowledge that the land commission and some of its staff are doing a very good job, we must also point out some of the grave disservices and illegalities that are being perpetrated in that institution.

- i. The land commission, its staff and some unscrupulous persons have been perpetrating illegalities and fraud by issuing registration certificates on Nii Odai Ntow lands to certain persons without recourse to the Odai Ntow family, who are the rightful owners of those lands.
- ii. In some cases, binding judgments of the courts in favour of the Nii Odai Ntow family that have been plotted have been removed illegally and replaced with declarations by other persons who are not so entitled.
- iii. The land commission has issued a registration certificate on a land that the Nii Odai Ntow family has obtained a judgment from the court and has plotted same (1980 judgment), to the Okaija Gbeke family, without lawful permission. All attempts to get the lands commission to cancel this illegal act has not been heeded.
- iv. In the famous consolidated case, entitled; **Nii Ngleshie Addy Vrs.**

**Tetty Iddrisu, Captain Salifu Vrs. John Armah Mensah, TT Mensah (Substituted by Moses Tawiah Aryee) and Asafoatse Amarlai** the Court held that Nii Ngleshie Addy Land Certificate No. 06/X2813 was obtained by **Fraud or Mistake** and as such **ORDERED** the Land Commission/Land Title Registry to expunge same. The Land Commission/Land Title Registry has yet to obey the orders of the High Court in this all-important matter despite several efforts from the Nii Odai Ntow family to get the Land Commission/Land Title Registry to do so.

- v. Ladies and Gentlemen of the press, it needs to be mentioned again here that, recently on the 27<sup>th</sup> July, 2023 some unscrupulous persons including the Lands Commission, represented by one Mr. George Atakora Ayi (Director of Dispute, Survey and Mapping) were on Nii Odai Ntow lands to illegally re-demarcate our boundaries for us, without any lawful authority. An act, that we think must be condemned by all and sundry.
- vi. Ladies and Gentlemen, it is to be stated that the land commission and some of its staff have not repented. It is this same illegal and fraudulent behavior of the lands commission that enabled the Swaniker family to

register Odai Ntow family lands, which lands were later adjudged by the court to belong to the Odai Ntow family.

## **IN CONCLUSION**

- 33.** We want the public to know that, the Nii Odai Ntow Family is the rightful allodial owners of Kwabenya, Ashongman, Agbogba, Dome, Haatso and Katapor Lands.
- 34.** We want to make a special appeal to the Inspector General of Police, the Chief Justice and the Minister for Lands and Natural Resources to let the good work they are doing to trickle down to the levels below them.
- 35.** We are appealing to the Ghana Police Service to assist the Nii Odai Ntow family in executing the various court judgments and orders that have come our way.
- 36.** To the Justices of the judiciary, we shall be eternally thankful to you. Like Oliver Twist, we can only ask for more of the sound and erudite judgments and decisions to the Nii Odai Ntow family. It is through your unblemished judgments and decisions that the general public can have the comfort and assurance in getting true and genuine lands for their personal and commercial use
- 37.** To the Lands Commission, we want to urge you to act promptly and obey court orders. To the staff, we want to entreat you to refrain from engaging in corrupt practices and doggy deals that tend to deprive rightful persons of their entitlements in land.
- 38.** Nii Mee, Naa Mee, Ladies and Gentlemen, members of the media, whiles we are taking legitimate steps to implement the numerous judgements that have come our way, we wish to use this medium to inform the general public and all developers on our lands who are yet to regularize their documents or atone tenancy to the Nii Odai Ntow Family, to do so through the Nii Odai Ntow Customary Land Secretariat as early as possible.
- 39.** We therefore encourage all developers to cooperate with us when they see us in their vicinity.

**Thank you and may God Bless us all.  
Thanks, our media men and women for coming.**

ACCREDITED HEADS  
BRANCHES

MR. MOSES TAWIAH ARYEE  
FAMILY  
MR EBENEZER TETTEY ANTEH

TETTEH AFRIME  
ANTEH KWAKONAM FAMIL