

IN THE FEDERAL HIGH COURT
HOLDEN AT LAGOS, NIGERIA

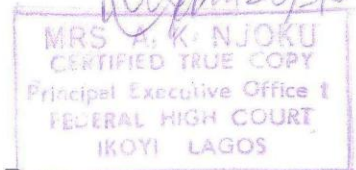
SUIT NO. FHC/L/CS/1163/12

BETWEEN:

1. MUSICAL COPYRIGHT SOCIETY OF NIGERIA LIMITED/GTE
 2. MR. HALIM MUHAMMED
 3. MISS NJOKU GLADYS
 4. MR. OLUKAYODE AJAYI
 5. MISS OMOLARA BANJO
 6. MR. YUSUF BENSO N
 7. MR. LOUIS BASSEY UDOH
 8. MR. MAYO AYILARAN
- } ...APPLICANTS

A N D

1. NIGERIA COPYRIGHT COMMISSION
 2. DIRECTOR GENERAL, NIGERIA COPYRIGHT COMMISSION
 3. MR. AMODU AUGUSTINE ALEWU
(DIRECTOR, NIGERIA COPYRIGHT COMMISSION)
 4. MR. MATHEW OJO
 5. INSPECTOR GENERAL OF POLICE
- } ...RESPONDENTS



ORDER

UPON THIS MOTION ON NOTICE

dated the 3rd day of October, 2012

praying for the following Orders:-




JUSTICE M. N. YUNUSA
JUDGE

a. **A DECLARATION** that the 2nd, 3rd, 4th, 5th, 6th, 7th and 8th Applicants are entitled to their rights to dignity

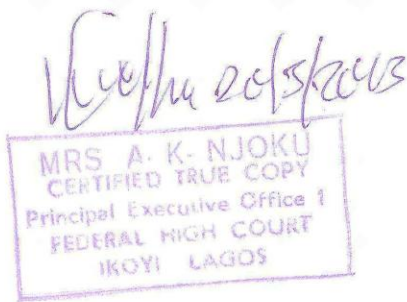
of their persons, personal liberty and rights to move freely as guaranteed by Sections 34, 35 and 41 of the Constitution of the Federal Republic of Nigeria 1999 and also by virtue of Articles 2, 3, 4, 5, 6, 10, 11 and 12 of the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act, Cap A9, Laws of the Federation of Nigeria, 2004.

- b. **A DECLARATION** that the existence and the activities of the 1st Applicant is guaranteed under Section 40 and 44 of the Constitution and 1st Applicant's operation is legal and constitutional based on subsisting Order of the Court in Suit No. FHC/L/CS/35/08 delivered by **JUSTICE A. ARCHIBONG** reinforcing the Applicant's rights as guaranteed by the Constitution of the Federal Republic of Nigeria.
- c. **A DECLARATION** that 1st Applicant has the constitutional right under Section 44 of the Constitution to own and enjoy the copyrights and/or proprietary rights as guaranteed by the Constitution based on several deeds of assignments, contracts, licenses, powers of attorney flowing from the original copyright owners to the Applicant.

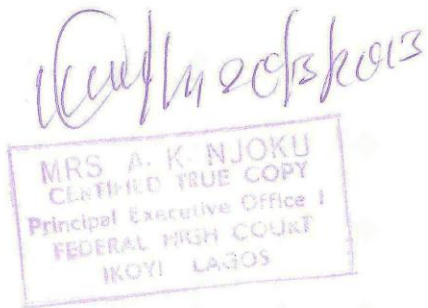
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- d. **AN ORDER** that the continued detention, harassment and intimidation, threat and torture of the 2nd, 3rd, 4th, 5th, 6th, 7th and 8th Applicants by the Respondents is unlawful, unwarranted and in breach of the Applicants fundamental rights to dignity of their persons, personal liberty and rights to movement as protected by the Constitution.
- e. **AN ORDER OF PERPETUAL INJUNCTION** restraining the Respondents whether by themselves, officers, agents, privies from further harassing, intimidating, detaining or further arresting the Respondents or any of its officers or agents in the course of performing their lawful and legal duties and administering their property rights.
- f. **AN ORDER** directing the Respondents to immediately release the equipment, files, documents and all materials seized from the office of the Applicant by the Respondents.
- g. **AN ORDER** of the Honourable Court awarding compensation for the Applicants and against the Respondents (jointly and severally) in the sum of ₦50,000,000.00 (Fifty Million Naira) for unlawful disruption and interference in 1st Applicant's lawful businesses.



- h. **AN ORDER** of the Honourable Court awarding compensation in the sum of ₦50,000,000.00 (Fifty Million Naira) for the Applicants and against the Respondents (jointly and severally) for threat to arrest, unlawful arrest, detention, intimidation and harassment of the 2nd, 3rd, 4th, 5th, 6th, 7th and 8th Applicants.
- i. And for such further or other Orders as the Honourable Court may deem fit to make in the circumstances.



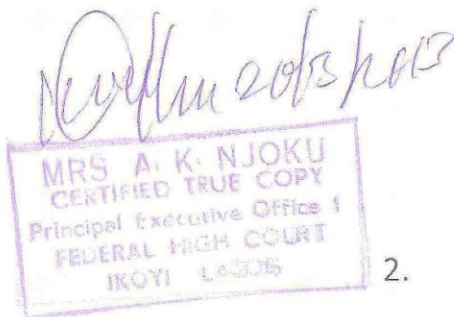
UPON READING the Affidavit in Support of the motion, written address and exhibit attached dated the 3rd day of October, 2012 and filed in the Federal High Court Registry and sworn to by Louis Bassey Udoh, Male, Christian and Nigerian Citizen, of 6, Olaribiro Street, Off Allen Avenue, Ikeja, Lagos.

AFTER HEARING Yemi Salman Esquire with him Olawale Adeogun for the Applicants move in terms of the application and O. Ezeilo opposing the motion with him Linda

Alphea Mrs, Adeola Adekoye Mrs for the 1st –
4th Respondents. Mrs O. Badewole for the 5th
Respondent with G. P. Ikie.

IT IS HEREBY ORDERED:-

1. That the 2nd, 3rd, 4th, 5th, 6th, 7th and 8th Applicants are entitled to their rights to dignity of their persons, personal liberty and rights to move freely as guaranteed by Sections 34, 35 and 41 of the Constitution of the Federal Republic of Nigeria 1999 and also by virtue of Articles 2, 3, 4, 5, 6, 10, 11 and 12 of the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act, Cap A9, Laws of the Federation of Nigeria, 2004.
2. That the existence and the activities of the 1st Applicant is guaranteed under Section 40 and 44 of the Constitution and 1st Applicant's operation is legal and constitutional based on subsisting Order of the Court in Suit No. FHC/L/CS/35/08 delivered by JUSTICE A. ARCHIBONG reinforcing the Applicant's rights as guaranteed by the Constitution of the Federal Republic of Nigeria.
3. That the 1st Applicant has the constitutional right under Section 44



of the Constitution to own and enjoy the copyrights and/or proprietary rights as guaranteed by the Constitution based on several deeds of assignments, contracts, licenses, powers of attorney flowing from the original copyright owners to the Applicant.

W. D. S. P. S.

MRS A. K. NJOKU
CERTIFIED TRUE COPY
Principal Executive Office 1
FEDERAL HIGH COURT
IKOYI LAGOS

4. That the continued detention, harassment and intimidation, threat and torture of the 2nd, 3rd, 4th, 5th, 6th, 7th and 8th Applicants by the Respondents is unlawful, unwarranted and in breach of the Applicants fundamental rights to dignity of their persons, personal liberty and rights to movement as protected by the Constitution.

*Cashier has
collected the sum
of ₦180.00
for the order
W. D. S. P. S.*

5. That the Respondents are hereby directed to immediately release all the equipment, files, documents and all materials seized from the office of the Applicant by the Respondents.

ISSUED AT LAGOS, Under the Seal of the Court
and the hand of the Presiding Judge this 19th
day of March, 2013.

FEDERAL HIGH COURT
Cashier's Office
Date: _____
LAGOS

*W. D. S. P. S.
19/03/2013
2013/03*


G. N. ANYANWU
REGISTRAR.