

EURON



WRIT OF SUMMONS
(Order 2 rule 3(1))

WRIT ISSUED FROM... GENERAL JURISDICTION 2020 SUIT NO. 5/1203/2020

IN THE HIGH COURT

BETWEEN

NATIONAL DEMOCRATIC CONGRESS (NDC)
C10/2 ADAMA AVENUE,
ADABRAKA - ACCRA } PLAINTIFF*

VRS

ELECTORAL COMMISSION
WILLIAM TUBMAN ROAD
RIDGE - ACCRA } DEFENDANT*

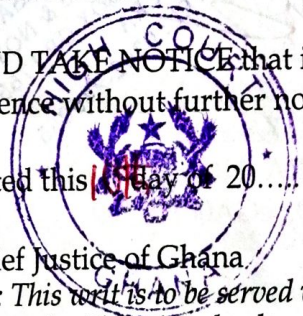
To

AN ACTION having been commenced against you by the issue of this writ by the above-named Plaintiff. - NATIONAL DEMOCRATIC CONGRESS (NDC)

YOU ARE HEREBY COMMANDED that within EIGHT DAYS after service of this writ on you inclusive of the day of service you do cause an appearance to be entered for you - ELECTORAL COMMISSION

AND TAKE NOTICE that in default of your so doing, judgment may be given in your absence without further notice to you - ELECTORAL COMMISSION

Dated this 10 day of July 2020



2020
ANINYERGAH

Chief Justice of Ghana

NB: This writ is to be served within twelve calendar months from the date of issue unless, it is renewed within six calendar months from the date of that renewal.

~~The Defendant may appear hereto by filing a notice of appearance either personally or by a lawyer at Form 5 at the Registry of the Court of issue of the writ at Accra. A Defendant appearing personally may, if he desire give notice of appearance by post.~~

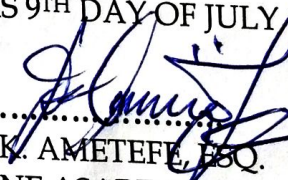
*State name, place of residence or business address of plaintiff if known (not P.O. Box number). **State name, place of residence or business address of Defendant (not P.O. Box number)

PARTICULARS OF CLAIM

The Plaintiff's claim is for:

- a) A declaration that it is illegal and wrongful for the Defendant to conduct registration at any place including campuses of a Senior High Schools which was not contained in a Gazette and notification in accordance with C.I. 91.
- b) A declaration that any such registration of voters including students that take place at any ungazetted and unpublished registration centre including Senior High School campuses is null and void and of no legal effect.
- c) An order excluding names of persons registered at those illegal centres from the register of voters.
- d) An order for perpetual injunction restraining the Defendant whether by itself, officers, agents, or any other functionary personnel from carrying out registration of voters in any Senior High School or place not duly gazette or published in accordance with C.I. 91 as amended.
- e) Any other order(s) the court shall deem fit to make.
- f) Punitive costs.

DATED AT BOAHENE ASARE & ASSOCIATES, HOUSE NO.23 FAANOFA STREET, KOKOMLEMLE, ACCRA (NEAR JOY FM) THIS 9TH DAY OF JULY 2020.



 DAVID K. AMETEFE, ESQ.
 BOAHENE ASARE & ASSOCIATES
 HOUSE NO.23 FAANOFA STREET
 KOKOMLEMLE, ACCRA (NEAR JOY FM)
 LAWYER'S LICENCE NO.: eGA00105/20

BOAHENE ASARE & ASSOCIATE-
 LAWYERS & NOTARIES PUBLIC
 P. O. BOX GP 17653
 ACCRA
 TEL: 0302-246265

This writ was issued by whose address for service is Agent for

Address Number and date of lawyer's current licence.

Lawyer for the Plaintiff

who resides at

.....
Indorsement to be made within 3 days after service

This writ was served by me at
On the defendant

on the
endorsed the

day of
day of

Signed.....

Address.....

NOTE: If the plaintiff's claim is for a liquidated demand only, further proceedings will be stayed if within the time limited for appearance the defendant pays the amount claimed to the plaintiff, his lawyer or his agent or into court as provided for in Order 2 rule 3(2).

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
GENERAL JURISDICTION
ACCRA- A.D. 2020

Filed on 10-07-2020
2:10
HIGH COURT
ACCRA

SUIT NO

NATIONAL DEMOCRATIC CONGRESS (NDC)
C10/2 ADAMA AVENUE,
ADABRAKA - ACCRA

PLAINTIFF

VRS

ELECTORAL COMMISSION
WILLIAM TUBMAN ROAD
RIDGE - ACCRA

DEFENDANT

STATEMENT OF CLAIM

1. The Plaintiff is a registered political party under the laws of Ghana.
2. The Defendant is a body set up under the Constitution, 1992 and the laws of Ghana, charged with the duty to register voters and compile the register of voters for public elections and referenda among other functions.
3. Plaintiff states that under the statute setting up the Defendant, the Defendant is required to enact constitutional instruments to regulate its performance of functions.
4. Plaintiff states that in pursuance of the function of the Defendant above the Defendant enacted the **Public Elections (Registration of Voters) Regulations, 2016, (C.I .91)**, same amended by C.I 126 of 2020 to regulate its conduct of voter registration.
5. The Defendant published in a Gazette notification some time in May 2020 its intention to compile a new register of voters commencing 30th June, 2020 to end 6th August 2020.


6. The Plaintiff states that, the Defendant is enjoined by its Regulations (Regulation 2 especially sub regulation (3)) to publish in a **Gazette** not less than 21 days before the commencement of the registration exercise all registration centres or polling stations to be used.
7. Plaintiff states further that by Regulation 2(3) of C.I. 91 aforesaid, as amended, Plaintiff is entitled to be notified of the said names of the Gazetted registration centres or polling stations for the registration exercise.
8. Plaintiff states further that prior to the commencement of the 2020 voter registration exercise, the Defendant published in the Gazette and notified Plaintiff of all intended registration centres and or polling stations to be used.
9. Despite the clear provisions of the law already referred to above, Defendant on 7th July, 2020 by a letter invited the Plaintiff for an Inter Party Advisory Council Meeting, the Agenda of which meeting was to inform the Plaintiff and others of the Defendant's intention to commence on Friday, 10th July, 2020 registration of Senior High School students on their school campuses.
10. By the said decision of the Defendant, the Defendant has thereby unlawfully designated even SHS campuses that are not gazetted as registration centres or polling stations to be used contrary to the law.
11. Plaintiff states that the conduct of the Defendant is unlawful and as an administrative body Defendant could only conduct its said activities in accordance with the law that established and or empowers it so to act in terms of article 23 of the Constitution 1992.
12. Plaintiff states further that unless the Court intervenes to stop the Defendant, it is likely to engage in an illegal act whose effect is that

registration of voters would take place at illegally designated schools unknown to the Plaintiff during which a lot of fraud and illegality would take place without check and monitoring.

13. Wherefore the Plaintiff claims against the Defendant per its Writ of Summons as follows:

- a) A declaration that it is illegal and wrongful for the Defendant to conduct registration at any place including campuses of a Senior High Schools which was not contained in a Gazette and notification in accordance with C.I. 91.
- b) A declaration that any such registration of voters including students that takes place at any ungazetted and unpublished registration centre including Senior High School campuses is null and void and of no legal effect.
- c) An order excluding names of persons registered at those centres from the register of voters.
- d) An order for perpetual injunction restraining the Defendant whether by itself, officers, agents, or any other functionary personnel from carrying out registration of voters in any Senior High School or place not duly gazette or published in accordance with C.I . 91 as amended.
- e) Any other order(s) the court shall deem fit to make.
- f) Punitive costs.

DATED AT BOAHENE ASARE & ASSOCIATES, HOUSE NO.23 FAANOFA STREET, KOKOMLEMLE, ACCRA (NEAR JOY FM) THIS 9TH DAY OF JULY, 2020.


DAVID K. AMETEFE ESQ.
LAWYER FOR PLAINTIFF
LAWYER'S LICENCE NO.: eGA00105/20

BOAHENE ASARE & ASSOCIATES
LAWYERS & NOTARIES PUBLIC
P.O. BOX GP 17653
ACCRA
TEL: 0302-246265

THE REGISTRAR
HIGH COURT
GENERAL JURISDICTION
ACCRA.

AND TO THE ABOVE NAMED DEFENDANT.

Elikem

FILED on 10-07-2020
2:30
HIGH COURT
ACCRA
SUIT NO 9/1203/2020

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
GENERAL JURISDICTION
ACCRA- A.D. 2020

NATIONAL DEMOCRATIC CONGRESS
(NDC), C10/2 ADAMA AVENUE,
ADABRAKA - ACCRA } PLAINTIFF/APPLICANT

VRS

ELECTORAL COMMISSION
WILLIAM TUBMAN ROAD
RIDGE - ACCRA } DEFENDANT/RESPONDENT

MOTION FOR INTERLOCUTORY INJUNCTION

TAKE notice that DAVID K. AMETEFE, ESQ. Counsel for and on behalf of the Plaintiff/Applicant herein praying for order of interlocutory injunction against the Defendant/Respondent whether acting by itself or through its Commissioners, Officers, Agents, or whosoever acting on their instructions and or performing such functions assigned them by the Commission or through the Commissioners from organizing, conducting, and or taking any steps in furtherance of registering Senior High Schools students or student of any second cycle institutions or registering anybody for that matter on campuses of such senior high schools or any second cycle institution not gazetted, published and or contained in any notification in accordance with Regulation 2 subsection regulation(3) or any other Regulation or sub Regulations of C.I. 91 as amended by C.I. 126 and or unless the said registration centres or school campuses are contained in the Gazette number 77 of Tuesday the 26th of May 2020.

AND for further order(s) as this Honorable Court may deem fit to make.

UPON THE GROUNDS stated in the accompanying affidavit in support.

COURT TO BE MOVED on Monday 20th July 2020 at 9 O'clock in the forenoon or so soon thereafter as Counsel may be heard.