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Registrar
SUPREME COURT OF GHANA

IN THE SUPERIOR COURT OF JUDICATURE
IN THE SUPREME COURT
ACCRA - AD 2024

SUIT NO:

J1/12/2024
PLAINTIFF

ROCKSON-NELSON ETSE K. DAFEAMEKPOR
ATAWANOR MEMORIAL HOUSE
TONGOR-TSANAKPE SOUTH-DAYI
VOLTA REGION

VRS.

THE SPEAKER OF PARLIAMENT
ALBAN S. BAGBIN
PARLIAMENT, ACCRA.

1st DEFENDANT

ATTORNEY GENERAL
ATTORNEY GENERAL'S DEPARTMENT
MINISTRIES, ACCRA.

2nd DEFENDANT

IN THE NAME OF THE REPUBLIC, you are hereby commanded within fourteen days after service on you of the Plaintiff's Statement of case, inclusive of the day of service to file or cause to be filed for you, the Defendant's statement of case in an action at the suit of: **Rockson-Nelson Etse K. Dafeamekpor**

The nature of the reliefs sought are as follows:

1. A declaration that under Article 78(1) of the 1992 Constitution, a Minister of State shall be appointed by the President with the prior approval of Parliament.
2. A declaration that under Article 81(a) of the 1992 Constitution, the office of a Minister of State or a Deputy Minister shall become vacant if his

appointment is revoked, terminated or relieved of that portfolio by the President.

3. A declaration that upon a true and proper interpretation of Articles 78(1) and 81 (a) of the 1992 Constitution, a Minister of State or Deputy Minister of State who has had his appointment revoked, terminated or relieved of portfolio by the President, cannot be re-assigned to another Ministerial or Deputy Ministerial office without prior approval of Parliament.
4. A declaration that upon a true and proper interpretation of Articles 78(1) and 81 (a) of the 1992 Constitution, once a Minister of State or Deputy Minister of State has had his appointment revoked, terminated or relieved of that portfolio by the President, that Minister of State or Deputy Minister of State must be subject to the requirement of prior Parliamentary approval before that Minister of State or Deputy Minister of State is re-appointed as a Minister or Deputy-Minister of State.
5. A declaration that upon a true and proper interpretation of Articles 78(1) and 81(a) of the 1992 Constitution, the Ministers of State and the Deputy Minister of State whose appointments were revoked on the 14th of February, 2024 cannot be re-appointed to other Ministerial and Deputy Ministerial offices without prior approval of Parliament.
6. A declaration that failure and/or refusal of the President of the Republic of Ghana to seek the prior approval of Parliament before purporting to re-assign the Ministers of State and the Deputy Minister of State whose appointments were revoked or terminated or relieved of their portfolios on the 14th of February, 2024 amounts to a direct violation of Articles 78(1) and 81(a) of the 1992 Constitution.

7. A declaration that any Ministerial appointment which has not been subject to prior Parliamentary approval is in direct violation of Article 78(1) of the 1992 Constitution.
8. An order directing the President of the Republic of Ghana to submit to Parliament for approval, the names of the Ministers of State and the Deputy Minister of State whose appointments were revoked or terminated on the 14th of February, 2024 and who were subsequently supposedly re-assigned to other Ministerial and Deputy Ministerial offices for purposes of appointment as Ministers of State and Deputy Minister of State.
9. An order of interlocutory injunction restraining the Speaker of Parliament, the 1st Defendant herein, from proceeding with the vetting and approval of the names of the nominees of the President submitted to Parliament until the requirement that a Minister of State shall be appointed by the President with the prior approval of Parliament is satisfied in respect to the Ministers of State and the Deputy Minister of State whose appointments were revoked on the 14th of February, 2024 have been re-assigned new Ministerial and Deputy Ministerial offices.
10. An order of perpetual injunction restraining the Speaker of Parliament, 1st Defendant herein, from proceeding with the vetting and approval of the names of the nominees of the Presidential submitted to Parliament until the requirement that a Minister of State shall be appointed by the President with the prior approval of Parliament is satisfied in respect to the Ministers of State and the Deputy Minister of State whose appointments were revoked on the 14th of February, 2024 and have been re-assigned new Ministerial and Deputy Ministerial offices.
11. Any further Order(s) or direction(s) as this Honourable Court may deem necessary.

The capacity in which the Plaintiff brings the action is as follows:

The Plaintiff brings this action as a citizen of Ghana under Articles 2(1) and 130(1) of the 1992 Constitution of Ghana.

The address for service of the Plaintiff is as follows:

Rockson-Nelson Etse K. Dafeamekpor
ATAWANOR MEMORIAL HOUSE
TONGOR-TSANAKPE SOUTH-DAYI
VOLTA REGION

The name and address of the persons affected by this writ is as follows:

1. THE SPEAKER OF PARLIAMENT

ALBAN S. BAGBIN
PARLIAMENT, Accra.

2. ATTORNEY GENERAL

ATTORNEY GENERAL'S DEPARTMENT
MINISTRIES, ACCRA

DATED AT ACCRA THIS 15th DAY OF MARCH, 2024.


Nii Kpakpo Samao Addo
Solicitor for the Plaintiff.
Licence No. eGAR/01025/24

The Registrar
Supreme Court
Accra.

And for service on the subsequent named Defendants:

1. THE SPEAKER OF PARLIAMENT

ALBAN S. BAGBIN
PARLIAMENT, Accra

2. ATTORNEY GENERAL

ATTORNEY GENERAL'S DEPARTMENT
MINISTRIES, ACCRA