

Service - 20.00

1027742/102782

28/11/22



REPUBLIC OF GHANA

WRIT OF SUMMONS
(ORDER 2 RULE 3(1))

W/S - 50.00
J/R - 270.00
Form - 10.00
W-leva - 10.00
CHF 340.00

SUIT NO. E11/04/2023

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
SOGAKOPE- VOLTA REGION

BETWEEN

- 1. WILLIAM KOFI GLEKU
Newtown, Sogakope
- 2. ROMEO AMEMORNU
Kpekpo, Sogakope secondary school
- 3. HARRISON RICHARD GLEKU
Joy Ablordepey's house
Kpekpo
- 4. AGBEMADI GODSON
Sogakope, Newtown
GPS-VU-0025-2291

PLAINTIFFS

AND

NATIONAL DEMOCRATIC CONGRESS
Hsc. No. C 10/2 Adama Avenue
ADABRAKA - ACCRA
PLAINTIFFS TO DIRECT SERVICE
To

DEFENDANT

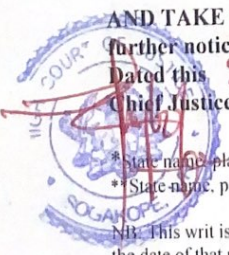
AN ACTION having been commenced against you by the issue of this Writ by the above-named Plaintiffs
1. WILLIAM KOFI GLEKU 2. ROMEO AMEMORNU 3. HARRISON RICHARD GLEKU
4. AGBEMADI GODSON

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.
NATIONAL DEMOCRATIC CONGRESS

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

Dated this 28th day of NOVEMBER 2022
Chief Justice of Ghana

ANIN YEBOAH



* 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)

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.

STATEMENT OF CLAIM

The Plaintiff claims against the Defendant as follows:

- A. A Declaration that the Plaintiffs and members of the Defendant Political party at the 5 Branches of the Sogakope Secondary School Branch are eligible to participate in the constituency conference of 2022 and exercise their voting rights.
- B. A Declaration that the purported constituency election organized on 30TH October 2022 was not validly conducted as same was in breach of Article 15 (2) of the Defendant's constitution 1992 as amended and thus Null and void.
- C. A Declaration that all constituency officers, purportedly elected into various constituency offices, during the purported constituency election on 30th October 2022, were not validly elected.
- D. An order of the court directed at the Defendant to organize fresh constituency conference and elections in compliance with the Provisions of the Constitution of the Defendant Political Party.
- E. A Perpetual injunction restraining the Purported elected constituency executives from holding themselves out or allowing themselves to be held out as the constituency executives of the Defendant Political Party in the South Tongu constituency.
- F. An order of the court directed at the purported elected constituency executives from participating in the national elections of the Defendant Political Party.
- G. An order of the court directed at the Defendant Political Party to restore the names of the Plaintiffs and members of their branches onto the voters register of the Defendant Political party.
- H. An order of the Honorable court awarding cost of this litigation including legal fees to the Plaintiffs
- I. An order of the Honorable Court awarding any such relief(s) as it may deem proper, just and fair to make.

DATED AT DARKO LAW FIRM, 72 PAPAPIO STREET, NANAKROM, CLOSE TO THE MELCOM ACCRA THIS 7th DAY OF NOVEMBER 2022

DARKO LAW FIRM
 24 FORKTAIL ACHIMOTA HILLS
 ACCRA
 SOLICITOR FOR PLAINTIFF
 0246021597
 Counsel's current License: eGAR02474/22

This writ was issued by **PERRY E. AMEMORNU, ESQ**
 Whose address for service is **DARKO LAW FIRM, 72 PAPAPIO STREET, NANAKROM, CLOSE TO THE MELCOM ACCRA**
 Agent for **PLAINTIFFS**
 Lawyer for the Plaintiff; **PERRY E. AMEMORNU, ESQ** who resides at ACCRA
 And whose license No. is **eGAR02474/22**

Indorsement to be made within 3 days after service
 This writ was served by me at _____
 On the defendant _____ day of _____
 Endorsed the _____ 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
SOGAKOPE
A.D 2022**



SUIT NO.

1. WILLIAM KOFI GLEKU
Newtown, Sogakope
2. ROMEO AMEMORNU
Kpekpo, Sogakope Senior High School
3. HARRISON RICHARD GLEKU
Joy Ablordepey's house
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4. AGBEMADI GODSON
Sogakope, Newtown
GPS-VU-0025-2291

PLAINTIFFS

VRS

NATIONAL DEMOCRATIC CONGRESS
Hsc. No. C 10/2 Adama Avenue
ADABRAKA – ACCRA

DEFENDANT

PLAINTIFFS TO DIRECT SERVICE

STATEMENT OF CLAIM

- 1) The Plaintiffs are the chairmen of the five branches of the Sogakope Branch of the National Democratic congress and registered voters in the South Tongu constituency of the Volta Region.
- 2) The 1st Plaintiff is the chairman of Sogakope Senior High School branch 'D' of the National Democratic Congress in the South Tongu constituency of the Volta Region.
- 3) The 2nd Plaintiff is the Chairman of the Sogakope Senior High School Branch 'A' of the National Democratic Congress in the South Tongu constituency of the Volta Region.
- 4) The 3rd Plaintiff is the Chairman of the Sogakope Senior High School Branch 'B' of the National Democratic Congress in the South Tongu constituency of the Volta Region.

- 5) The 4th Plaintiff is the Chairman of the Sogakope Senior High School Branch 'C' of the National Democratic Congress in the South Tongu constituency of the Volta Region.
- 6) The Defendant is a Political Party registered under the relevant and applicable laws of the Republic of Ghana, professing to be a Social Democratic Party that believes in the equality and egalitarian treatment of all persons irrespective of their social, cultural, educational, political, religious and economic relations in a multi-party environment.
- 7) The Plaintiffs say that they are members of the Defendant party and affiliated to the Sogakope Senior High School Branch.
- 8) The Plaintiffs aver that there are forty-five (45) members in all the five branches of the Sogakope Senior High School branch of the Defendant Political party.
- 9) The Plaintiffs aver that, according to the constitution of the Defendant Political Party, the smallest constituent unit of the Party is a branch, the various branches constitute the constituency, the various constituencies form the regional branches of the Defendant party and the various regions form the national party – Defendant Political Party.
- 10) The Plaintiffs aver that being members of the branch, they form the nucleus and most integral unit of the Defendant Political Party.
- 11) The Plaintiffs aver that, in accordance with the provisions of the Constitution of the Defendant Political party, they received a letter, dated 7th October 2022, inviting them to participate in the constituency conference scheduled for 22nd October 2022 and to be held at the Comboni Conference Hall in Sogakope.
- 12) The Plaintiffs repeat paragraph 11 and further aver that the conduction of constituency elections was part of the agenda of the conference.
- 13) The Plaintiffs aver that on the date of the said constituency conference all the 44 members of their branches attended the conference and confirmed their names in the voters' register.
- 14) The Plaintiffs aver that, while waiting to be called upon to cast their vote, to their utter shock and consternation they were informed by the electoral officials that there was a problem with them, that is all the 44 members of the Sogokope Senior High School branches, and as a result, they would not be allowed to cast their votes.
- 15) The Plaintiffs aver that they raised the argument that, their names were in the register and thus were eligible to vote and that they had received formal communication from the constituency to attend and participate in the constituency conference.

- 16) The Plaintiffs aver that, they were later informed by the officials of the electoral commission that, they had been instructed by some members of the party to remove their names from the voters' register.
- 17) The Plaintiffs aver that they were not given any tangible reason for the sudden decision and the elections for the day were disrupted.
- 18) The Plaintiffs further aver that they wrote a report and served same on the Regional Chairman on what transpired at the constituency conference.
- 19) The Plaintiffs aver they were subsequently informed by the constituency chairman that, the national office was going to address their concerns on Monday 24th October 2022 but they received no further communication thereafter.
- 20) The Plaintiffs say that on Friday 28th October 2022, they saw messages circulating on various WhatsApp platforms with members affiliated to the Defendant Party within the constituency that their party was organizing the constituency elections on Sunday 30th October 2022.
- 21) The Plaintiffs avers that, they contacted the constituency chairman, who according to the constitution of the Defendant, has the powers to convene the constituency conference at which the elections can be held to ascertain the veracity or otherwise of the information they had seen on various WhatsApp platforms.
- 22) That Plaintiffs say that, the said constituency chairman denied knowledge of any such election and further said he was awaiting the resolution of the problems that arose at the disrupted conference.
- 23) That Plaintiffs further says that, after their phone conversation with the constituency chairman, they received formal written communication from him, addressed to all delegates in the constituency confirming his position that he has not sanctioned any election to be held on Sunday 30th October, 2022 and further called on all delegates to disregard the message circulating on social media.
- 24) The Plaintiffs further says that, the constituency chairman took a further step to announce on "Freedom FM" a local radio station that there was not going to be any election on Sunday.
- 25) That Plaintiffs say that, according to the Defendant's constitution, a 3 days' notice is required prior to the conduct of the constituency elections.

- 26) The Plaintiffs aver that, at about 11am on Sunday, they noticed that the electoral commission purported to conduct the said election, with majority of the delegates absent including the 44 members of the Plaintiffs' branches.
- 27) The Plaintiffs aver that, they later found out that, the elections were organized by the constituency secretary with the assistance of the constituency director of elections, without the approval of the constituency chairman.
- 28) The Plaintiffs aver that the purported elected constituency executives have been purportedly sworn in.
- 29) The Plaintiffs say that the Defendant Political party has the duty to ensure that the constitution of the party is respected and complied with and ensure that all persons who are eligible to partake in its elections are given the opportunity to do so, but in this instance failed to ensure such.
- 30) The Plaintiffs aver that without the coercive orders of the Honorable court, their sacred democratic rights to vote will be taken away and breached.
- 31) The Plaintiffs aver that without a three-day notice from the constituency chairman and their participation in the constituency conference, the constituency elections cannot be deemed to have been validly conducted as their branch forms the seedbed and nucleus of the Defendant Political Party.

Wherefore the Plaintiffs pray the Honorable Court for the following reliefs against the Defendant;

- a) A Declaration that the Plaintiffs and all members of the Defendant Political party at the 5 Branches of the Sogakope Senior High School Branch are eligible to participate in the constituency conference of 2022, the constituency elections and exercise their voting rights.
- b) A Declaration that the purported constituency election organized on 30TH October 2022 was not validly conducted as same was in breach of Article 15 (2) of the Defendant's constitution 1992 as amended and thus null and void.
- c) A Declaration that all constituency officers, purportedly elected into various constituency offices, during the purported constituency election on 30th October 2022, were not validly elected.

- d) An order of the court directed at the Defendant to organize new constituency conference and constituency elections in compliance with the Provisions of the Constitution of the Defendant Political Party.
- e) A Perpetual injunction restraining the Purported elected constituency executives from holding themselves out or allowing themselves to be held out as the constituency executives of the Defendant Political Party in the South Tongu constituency.
- f) An order of the court directed at the purported elected constituency executives from participating in the national elections of the Defendant Political Party.
- g) An order of the court directed at the Defendant Political Party to restore the names of the Plaintiffs and members of their branches unto the voters register of the Defendant Political party.
- h) An order of the Honorable court awarding cost of this litigation including legal fees to the Plaintiffs
- i) An order of the Honorable Court awarding any such relief(s) as it may deem proper, just and fair to make.

DATED AT DARKO LAW FIRM, 72 PAPAPIO STREET NANAKROM, CLOSE TO THE MELCOM, ACCRA.

DARKO LAW FIRM
24 FOURTAIL ACHIMOTA GOLF HILLS
ACCRA
02460 PERRY EDEM AMEMORNU, ESQ
SOLICITOR FOR THE PLAINTIFFS
eGAR02474/22

THE REGISTRAR
HIGH COURT
SOGAKOPE

AND FOR SERVICE UPON THE DEFENDANT UPON WHOM THE PLAINTIFFS WILL
DIRECT SERVICE