

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY**  
**IN THE ABUJA JUDICIAL DIVISION**  
**HOLDEN AT MAITAMA**

**BEFORE HIS LORDSHIP : HON. JUSTICE Y. HALILU**  
**COURT CLERKS : JANET O. ODAH & ORS**  
**COURT NUMBER : HIGH COURT NO. 13**  
**CASE NUMBER : SUIT NO: CV/1157/2025**  
**DATE: : WEDNESDAY 4<sup>TH</sup> FEBRUARY, 2026**

**BETWEEN:**

**SALIMON ABDULHAKEEM ABIODUN .....CLAIMANT**

**AND**

- 1. THE CHAIRMAN, ABUJA MUNICIPAL AREA COUNCIL** } **DEFENDANTS**  
**2. ABUJA MUNICIPAL AREA COUNCIL** }

*Application fee 2,000*  
*Stamp 2,000*  
*date: 23/02/2026*

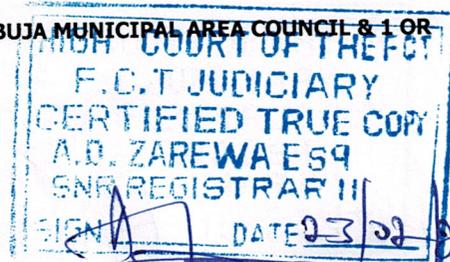
**SALIMON ABDULHAKEEM ABIODUN AND THE CHAIRMAN, ABUJA MUNICIPAL AREA COUNCIL & 1 OR**

**F.C.T JUDICIARY**  
**DEFINIFIED TRUE COPY**  
**A. ZAREWA ESQ**  
**SNR REGISTRAR II**  
**SIGN** *[Signature]* **DATE** *23/02/2026*

# **JUDGMENT**

The Claimant approached this court vide an Originating Summons dated and filed 21<sup>st</sup> March, 2025, who claims to be entitle to the following reliefs:

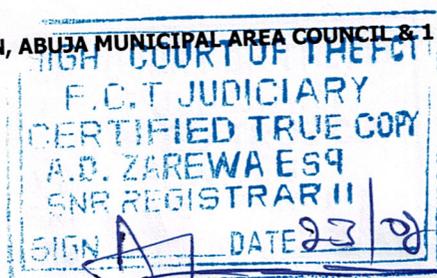
1. A Declaration of this Honourable Court that the arrest and confiscation of the Claimant's car with Chasis Number 5TDZA23C75S264195 and registered with private plate number KWL-63CE is unlawful, oppressive and clear violation of Claimant fundamental right to own a private property.
2. A Declaration of this Honourable Court that the forceful collection of the sum of N50,000.00 (Fifty Thousand Naira Only) on 11<sup>th</sup> January 2023, N50,000.00 (Fifty Thousand Naira Only) on 8<sup>th</sup> of February 2024 and sum of N20,000.00 (Twenty Thousand Naira Only) on 3<sup>rd</sup> of March, 2025 from the Claimant by the Defendants for Mobile Advert fees and Daily and Yearly Ticketing fees are illegal, oppressive and amount to extortion.
3. An Order Of this Honourable Court directing the Defendants to refund with immediate effect all the sum of N120,000.00 (One Hundred Thousand Naira Only) being the amount of



money forcefully and unlawfully collected by the Defendants from the Claimant in the year 2023, 2024, and 2025 for Mobile Advert Fees and Daily and Yearly Ticketing.

4. An Order of this Honourable Court directing the Defendants to pay sum of 20,000,000.00 (Twenty Million Naira Only) as exemplary damages to the Claimant.
5. And Order of this Honourable Court directing the Defendants to pay sum of 20,000,000.00 (Twenty Million Naira Only) as general damages to the Claimant.
6. An Order of this Honourable Court prohibiting the Defendants, their agents, partners, subordinate from arresting the Claimant's vehicle or any other private vehicles not being used for any commercial purposes while using Abuja Roads within the territory of the Defendants.
7. An Order of this Honourable Court awarding sum of N1,500,000.00 (One Million Five Hundred Thousand Naira Only) to the Claimant as the cost of this suit.

Claimant prays the Court for the determination of the following questions:



1. Whether the Claimant who is the owner of the private vehicle with Chasis Number 5TDZA23C75S264195 and registered with private plate number KWL-63CE is required under Section 1 of the Abuja Municipal Area Council known as Commercial Vehicles Picking Up Passengers Byelaw (No. 3) (Part IV) 2012 (as amended) or any other provisions of the Abuja Municipal Area Council byelaw to pay any fee or fees for daily or yearly ticketing to have warranted the confiscation and towing away of the Claimant's vehicle and forceful collection of sum of N50,000.00 in 2023, N50,000.00 in 2024 and N20,000.00 in 2025 from the Claimant by the Defendants?
2. Whether the Claimant who is the owner of the private vehicle with Chasis Number 5TDZA23C75S264195 and registered with private plate number KWL-63CE is required under Section 1, Section 2, Section 3 and First Schedule to the Bye-Law of the Abuja Municipal Area Council known as Regulation of Mobile Advertisement Byelaw (No. 6) (PART VI) 2012 (as amended) or any other byelaw of the Area Council to pay any fee or fees for mobile advert to have warranted the confiscation and towing away of the Claimant's vehicle and forceful collection sum of N50,000.00 in 2023, N50,000.00 in 2024 and N20,000.00 in 2025 from the Claimant by the Defendants?

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Each of the incidents complained of occurred on different dates and constitutes a distinct cause of action. The claims relating to 2024 and 2025 are clearly within time.

Furthermore, the repeated nature of the acts complained of qualifies as a continuing injury.

See ***AREMO II VS. ADEKANYE (2004) 13 NWLR (Pt. 891) 572.***

With respect to pre-action notice, where a suit challenges illegality, abuse of power or breach of constitutional rights, failure to issue pre-action notice does not rob the Court of jurisdiction.

See ***MOBIL PRODUCING NIGERIA VS. LASEPA (2002) 18 NWLR (Pt. 798) 1.***

This action cannot by any stretch be described as an abuse of court process. See ***SARAKI VS. KOTOYE (1992) 9 NWLR (Pt. 264) 156.***

Consequently, judgement is hereby entered for the Claimant against the Defendants as follows:

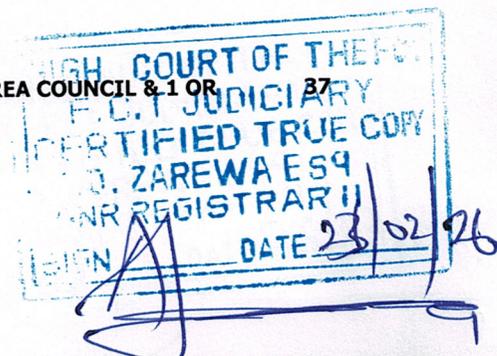
1. A Declaration of this Honourable Court that the arrest and confiscation of the Claimant's car with Chasis Number

SALIMON ABDULHAKEEM ABIODUN AND THE CHAIRMAN, ABUJA MUNICIPAL AREA COUNCIL & OR



5TDZA23C75S264195 and registered with private plate number KWL-63CE is unlawful, oppressive and clear violation of Claimant fundamental right to own a private property **is hereby granted.**

2. A Declaration of this Honourable Court that the forceful collection of the sum of **N50,000.00 (Fifty Thousand Naira Only)** on 11<sup>th</sup> January 2023, **N50,000.00 (Fifty Thousand Naira Only)** on 8<sup>th</sup> of February 2024 and sum of **N20,000.00 (Twenty Thousand Naira Only)** on 3<sup>rd</sup> of March, 2025 from the Claimant by the Defendants for Mobile Advert fees and Daily and Yearly Ticketing fees are illegal, oppressive and amount to extortion **is hereby granted.**
3. An Order Of this Honourable Court directing the Defendants to refund with immediate effect all the sum of **N120,000.00 (One Hundred Thousand Naira Only)** being the amount of money forcefully and unlawfully collected by the Defendants from the Claimant in the year 2023, 2024, and 2025 for Mobile Advert Fees and Daily and Yearly Ticketing **is hereby granted.**
- 4.. An Order of this Honourable Court prohibiting the Defendants, their agents, partners, subordinate from



arresting the Claimant's vehicle or any other private vehicles not being used for any commercial purposes while using Abuja Roads within the territory of the Defendants **is hereby ordered.**

Now to the relief of Damages..

Damages can be general or specific. General damages is the kind of damages which the law presume to be the consequence of the act complained of and unlike special damages, a Claimant for general damages does not need to specifically plead and specially prove it by evidence. It is sufficient if the facts thereof are generally averred.

***EFCC VS. ALH. BABA INUWA & ANOR (CA).***

On the other hand, damages are special in view of the fact that they are discernible and quantifiable and which does not rest on a puerile conception or notion... it shall be specially pleaded and proved.

It is established peradventure that once it is discernible from the facts of the case that a Claimant has been wronged in law, i.e ubi jus ibi remedium, he then shall be assuaged in damages.

See ***ASHBY VS. WHITE (1703) 92 ER 126;***

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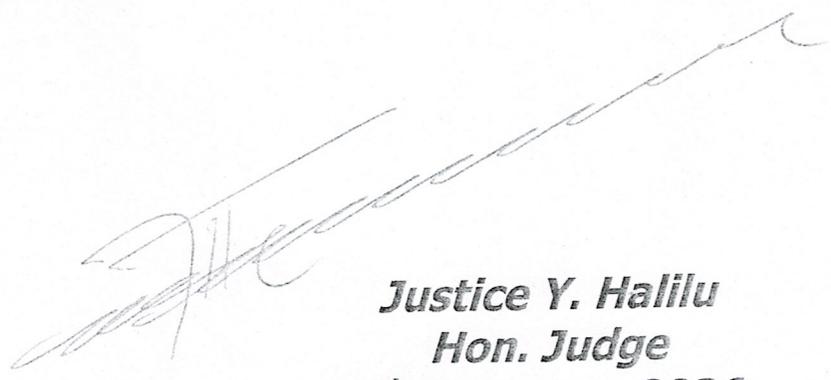
**BELLO VS. A.G OYO STATE ELC (1986) 1430 (SC) OR 5  
NWLR (Pt. 45) 828 at 889 – 890.**

Lord Denning, in **PACKER VS. PACKER (1954) Page 15 at  
Page 22**, re-stated the need to find a way to compensate a  
Claimant who has been wronged in law.

It is for above reason that I shall award general damages.

According, the sum of **N2,500,000.00 (Two Million Five  
Hundred Naira)** is awarded as general damages in favour of the  
Claimant.

Above is the Judgment of the Court.



**Justice Y. Halilu  
Hon. Judge  
4<sup>th</sup> February, 2026**

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