

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

BEFORE HIS LORDSHIP: HON. JUSTICE H. MU'AZU

SUIT NO: FCT/HC/M/10531/2025

MOTION NO. FCT/HC/M/11058/2025

DELIVERED ON THE 09/12/2025

BETWEEN:

OLAYINKA AKINTOYE.....APPLICANT
(Suing by her Attorney: **OTUNBA DAMILOLA OKE**)

AND

1. ABUJA GEOGRAPHIC INFORMATION SYSTEM (AGIS)
2. FEDERAL CAPITAL DEVELOPMENT AUTHORITY }RESPONDENTS

JUDGMENT

By a Motion on Notice brought Pursuant to Order 43, Rule 5 (1) of the High Court of the Federal Capital Territory, 2025, section 1 of the Freedom of Information Act, 2011, and under the inherent Jurisdiction of this Honourable Court the Applicant is praying this Court for the following reliefs:

1. **An Order** of mandamus compelling the 1st Respondent, Abuja Geographical Information System (AGIS) an agency in the governance structure of the 2nd Respondent to issue and release to the Applicant or any of her authorized representative, the Search Report for the property of plot **352** situate at Katampe

District, Abuja the Federal Capital Territory with file Number:
0D707.

2. **And for Such Further Order(s)** as this Honourable Court may deem fit to make under the fact and circumstances of this matter.

The Application is supported by affidavit of 19 paragraphs deposed to by one Otunba Damilola Oke of Jabi, Abuja. The Deponent averred thus:

1. That I am the lawful Attorney of the Applicant (Miss. Olayinka Akintoye now Mrs. Olayinka Uranta) in this case and by virtue of my position I am conversant with the facts and circumstances of this case.
2. That I have the consent and authorization of the Applicant to deposed to this Affidavit on her behalf.
3. The Applicant is the beneficial owner of Plot of land lying being and situated at Plot Number: **352** Katampe District, Abuja the Federal Capital Territory, having acquired it in her maiden surname Olayinka Akintoye.
4. The **1st** Respondent is established by an Act of the National Assembly to manage and administer land matters in the Federal Capital Territory (FCT) including:

- a. Land administration: Integrating Geographic Information System (AGIS)
 - b. Land title registration: Registering and managing.
 - c. Property Search and Verification providing property Search and Verification Services.
 - d. Collecting revenue for Land Related transaction.
5. The 2nd Defendant is responsible for development and managing infrastructure projects in the FCT working closely with the Federal Capital Territory Administration (FCTA) and its functions, amongst other, include reviewing and updating Abuja Master Plan.
6. On the 23rd day of June, 2025 the Applicant wrote to the 1st Respondent, through her counsel **OYECHI ONONYE, SAN OBIM AND ASSOCIATES**, for a Search Report in respect of her Plot of Land known as plot No. **352** in Katampe District, Abuja FCT with File No: **0D707**, Copy of that letter is Exhibited and marked Exhibit **OA1**.
7. As part of the process the Applicant also made payment in the 1st Respondent's designated account for the processing of the Search Report. Copy of the print out of the payment of **₦10,000.00** (Ten Thousand Naira) is marked Exhibit **OA2**.

8. Unfortunately, the Applicant is handicapped and cannot fulfil the second leg condition which is to present the Certificate of Occupancy which the Applicant is not in possession of.
9. The Applicant has fulfilled all the plausible conditions set out for search in any regular Land Registry in Nigeria.
10. Despite the former effort made by the Law firm of Oyenchi Ononye SAN, Obim and Associates to the 1st Respondent to consider the predicament of the Applicant, the 1st Respondent has failed, refused and or neglected to produce the Report without any reasonable cause or reason.
11. Due to this frustrating circumstance, the Applicant brought Application for leave for judicial review of the 1st Respondent's refusal which was graciously granted by Court on the 19th day of August, 2025. Enrolled Order is Exhibit **OA3**.
12. This Application reiterates the Plaintiff's reliance on the Court to provide the enabling tool with which she can use to authenticate and regularize her title to the Land in line with a new policy directive of the current Ministry of Federal Capital Territory.

13. It is the constitutional and statutory right of the Applicant to safeguard her to fair hearing and right to property.
14. The Search Report is very important to the root of this Application as the Applicant suspect that there may have been unauthorized activities on the Land considering the length of time that has lapsed before this action to take possession of her Land and the title thereof, thus a possible tampering with the documents in the Lands Registry as maintained with the Land Respondents necessitating urgent redness.
15. That it is in the interest of justice that the Applicant is granted this Application as the Applicant purchase the Land in her Corps years from her saving during her National Youth Service Corps (NYSC) while in Abuja, thus she should not be denied of fruit of her investment.
16. That if this Court does not compel the Respondents to produce the Search Report, the Applicant will not know the current status of the said Plot and that would pose a challenge to her right to claim a Land she personally paid for in her younger years from her savings while serving as a Youth Corps Member under the NYSC scheme in Abuja.

17. That if this Court does not compel the Respondents they will persist in the arbitrary refusal to issue the Applicant the Search Report.
18. That it is in the interest of justice that this Application is granted.
19. That the Respondents will not be prejudiced in any way.

In the Written Address filed by the Applicant, counsel formulated a sole issue for determination, to wit:

“Whether by virtue of the express statutory guarantee of the right of access to public records by section 1 of the Freedom of information Act, 2011 and a Search Report on Land does not fall in the exempted category, the Respondent especially the 1st who is vested with a duty can validly deny the Applicant search and related record in their custody”

Learned Counsel argued the issue in urging the Court to grant the Application for Judicial Review.

COURT

I have carefully considered the averments in the affidavit in support of the Application. I have also considered the fact that the averments are not contested.

The Respondents, who were duly served chose or elected not to challenge the Application of the Applicant by filing a counter affidavit. The Respondents are in law deemed to have admitted the facts in the affidavit as true and the court can Act on the uncontroverted evidence if they are such that can be believed. The evidence of the Applicant are not unreasonable and I believed them.

On the whole, I find that the Applicant has established its entitlement on the unchallenged evidence before the Court. Judgment is hereby entered for the Applicant and prayers are granted as prayed. i.e.

- 1. An Order** of mandamus compelling the **1st** Respondent, Abuja Geographical Information System (AGIS) an agency in the governance structure of the **2nd** Respondent to issue and release to the Applicant or any of her authorized representative, the Search Report for the property of plot **352** situate at Katampe District, Abuja the Federal Capital Territory with file Number: **0D707 is hereby granted.**

**SIGNED:
HON.JUDGE
09/12/2025**

APPEARANCE:

Patience Obim, Esq, for the Applicant

Respondents are absent and not represented