

32707

IN THE SUPERIOR COURT OF JUDICATURE  
IN THE HIGH COURT OF JUSTICE  
GENERAL JURISDICTION  
ACCRA - A.D. 2022

Filed on 29-06-2022  
13:30  
Registrar  
HIGH COURT  
ACCRA

JUSTICE LEE ADOBOE SUIT NO.  
::: PLAINTIFF/APPLICANT

VRS.

- 1. GHANA JOURNALISTS ASSOCIATION
- 2. AFFAIL MONNEY ::: DEFENDANTS/RESPONDENTS
- 3. ALBERT KWABENA DWUMFOUR

**MOTION ON NOTICE FOR INTERLOCUTORY INJUNCTION  
ORDER 25 OF C.I 47**

PLEASE TAKE NOTICE that this court will be moved by Peter Osei-Asamoah Esq., Counsel for and on behalf of Plaintiffs/Applicants herein, praying this honourable court for an order of interlocutory injunction, restraining the Defendants/Respondents either by themselves, agents or privies from swearing in the 3<sup>rd</sup> Defendant as President of 1<sup>st</sup> Defendant Association and a further order restraining the 3<sup>rd</sup> Defendant from holding himself up as President of 1<sup>st</sup> Defendant Association, until the final determination of the suit, on the grounds contained in the accompanying affidavit and for any further order or orders as this Honourable Court may deem fit.

COURT TO BE MOVED on Wednesday the 13<sup>th</sup> day of Jul 2022 at 9 o'clock in the forenoon or soon thereafter as Counsel for Plaintiff/Applicant may be heard.

DATED AT RENAISSANCE LAW CHAMBERS, NO.436/1 YEBOAH DUNCAN STREET (BEHIND OXFORD STREET SHOPPING MALL), OSU-RE, ACCRA, THIS 28<sup>th</sup> DAY OF JUNE 2022.

LAWYER FOR PLAINTIFF/APPLICANT  
LICENCE NO. eGAR 00969/22

THE REGISTRAR  
HIGH COURT (GENERAL JURISDICTION)  
ACCRA

RENAISSANCE LAW CHAMBERS  
LEGAL PRACTITIONERS  
HSE. No. 436/1 YEBOAH DUNCAN ST. OSU-RE  
BEHIND OSU SHOPRITE  
0302 78 61 71

AND TO THE ABOVE-NAMED DEFENDANT

IN THE SUPERIOR COURT OF JUDICATURE  
IN THE HIGH COURT OF JUSTICE  
GENERAL JURISDICTION  
ACCRA – A.D. 2022

Filed on 29-06-2022  
at 3:00 PM  
[Signature]

JUSTICE LEE ADOBOE

:::

PLAINTIFF/APPLICANT

SUIT NO.

VRS.

1. GHANA JOURNALISTS ASSOCIATION
2. AFFAIL MONNEY
3. ALBERT KWABENA DWUMFOUR

:::

DEFENDANTS/RESPONDENTS

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AFFIDAVIT IN SUPPORT

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I, JUSTICE LEE ADOBOE of House No. A 50, New Ashongman, Accra, make oath and say as follows:

1. That I am the deponent herein and the Plaintiff/Applicant in this matter and the facts I depose to herein, which facts, unless otherwise stated, are within my information, personal knowledge and/or belief.
2. That at the hearing of this application, counsel informs me that he shall seek leave of the court to refer to all processes filed so far in this suit.
3. That I am a member of the 1<sup>st</sup> Defendant Association in good standing.
4. That 1<sup>st</sup> Defendant is an association of Ghanaian journalists, duly registered as a body corporate limited by guarantee. 2<sup>nd</sup> Defendant is the outgoing President of 1<sup>st</sup> Defendant Association and the 3<sup>rd</sup> Defendant is a member of 1<sup>st</sup> Defendant who was purportedly elected as the incoming president of the 1<sup>st</sup> Defendant Association, in an election conducted on 24<sup>th</sup> June 2022.
5. That the 1<sup>st</sup> Defendant organization is governed by its constitution adopted on 13<sup>th</sup> November 2004 ("the GJA Constitution"). Attached as Exhibit JLA 1 is a copy of contstitution.

6. That by the provisions of the GJA Constitution, specifically Article 52 (b), it is an election offence for any candidate to directly or indirectly offer cash, favors, any incentives, or apply threat with the intention to influence the elections results.
7. That the GJA constitution further provides that a person who contravenes the provisions of Article 52(b) above shall be disqualified from the elections and banned from standing for any GJA elections for the next two subsequent elections.
8. That following the expiration of the tenure of office of the current executives of 1<sup>st</sup> Defendant, the Election Committee of the 1<sup>st</sup> Defendant/Respondent (hereinafter referred to as 1<sup>st</sup> Defendant) scheduled the 24<sup>th</sup> day of June 2022, as the date to elect new executives of 1<sup>st</sup> Defendant Association.
9. That three members of 1<sup>st</sup> Defendant namely, Dave Agbenu, Gayheart Mensah and the 3<sup>rd</sup> Defendant/Respondent (hereinafter referred to as 3<sup>rd</sup> Defendant, applied and were successfully vetted, to stand for elections to the position of president of 1<sup>st</sup> Defendant. Attached as Exhibit JLA2 is a copy of the ballot paper.
10. That on or about the 2<sup>nd</sup> day of June 2022, the 3<sup>rd</sup> Defendant, together with one Samuel Amoh Tobin, the Chief Executive Officer of Tobinco Pharmaceuticals, feted members of 1<sup>st</sup> Defendant association in the Western Region to a buffet at Atlantic Hotel, Takoradi.
11. That contrary to Article 52(b) of the GJA constitution, 3<sup>rd</sup> Defendant and Samuel Amoh Tobin gave to each member present, an amount of GHS 500 (Five Hundred Ghana Cedis) as an inducement for the members to vote for the 3<sup>rd</sup> Defendant.
12. That Samuel Amoh Tobin also promised other favors and incentives to the members present at the meeting to vote for the 3<sup>rd</sup> Defendant. At the hearing of the application, my counsel will ask for leave to show a video of 3<sup>rd</sup> Defendant and Samuel Amoh Tobin making the promises to the members.
13. That by a letter dated 16<sup>th</sup> June 2022, one Dotsey Koblah Aklorbortu, the Western Regional Chairman of 1<sup>st</sup> Defendant petitioned the Election Committee of 1<sup>st</sup> Defendant to investigate the election offence committed by the 3<sup>rd</sup> Defendant, contrary to Article 52 of the GJA Constitution and apply the necessary sanctions under the constitution should the investigations find him culpable. A copy of the letter is attached as Exhibit JLA3.
14. That the Election Committee, on the instructions of 2<sup>nd</sup> Defendant and other executives of 1<sup>st</sup> Defendant, failed to act on the petition as stipulated in the GJA Constitution and insisted on conducting the elections. This led to the resignation of the Chairman of the Elections Committee. Exhibit JLA 4

15. That the Defendants, in disregard of the provisions of the GJA Constitution, proceeded to hold the elections on 24<sup>th</sup> June 2022 and declared the 3<sup>rd</sup> Defendant as the president-elect.
16. That pursuant to Article 53(b) of the GJA Constitution, I petitioned the Elections Dispute Adjudication Committee of 1<sup>st</sup> Defendant against the purported election of the 3<sup>rd</sup> Defendant and requested that the swearing in of the 3<sup>rd</sup> Defendant as the president of 1<sup>st</sup> Defendant association should be put on hold, pending investigations into the alleged elections offences. Exhibit JLA 5.
17. That despite the petition, Defendants are bent on swearing in the 3<sup>rd</sup> Defendant as the president without first investigating the allegations of elections offences made against the 3<sup>rd</sup> Defendant.
18. That unless restrained by an order of this honorable court, Defendants will disregard the provisions of the GJA Constitution and swear in the 3<sup>rd</sup> Defendant as the president of 1<sup>st</sup> Defendant Association.
19. That I state the irreparable damage would be caused to the entire membership of 1<sup>st</sup> Defendant if the 3<sup>rd</sup> Defendant is sworn in as a president of 1<sup>st</sup> Defendant, in blatant disregard of the provisions of the GJA Constitution.
20. That in the circumstances I pray for an order of interlocutory injunction, to restrain the Defendants/Respondents from swearing in the 3<sup>rd</sup> Defendant as President of the 1<sup>st</sup> Defendant, and a further order restraining the 3<sup>rd</sup> Defendant from holding himself out as the president of 1<sup>st</sup> Defendant.
21. **WHEREFORE**, I swear to this affidavit in support of the motion for interlocutory injunction.

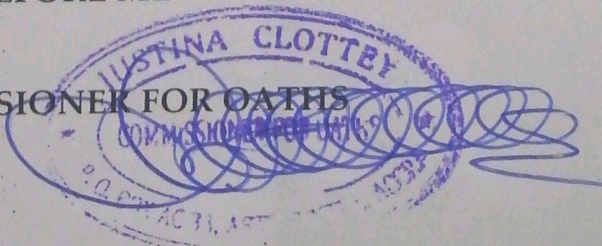
Sworn at Accra this  
day of June, 2022

*29th*  
]

\_\_\_\_\_  
DEPONENT

BEFORE ME

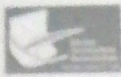
COMMISSIONER FOR OATHS



EX JLA 2



GHA NATIONAL EXECUTIVES ELECTIONS 2022 PRESIDENT



GHA NATIONAL EXECUTIVES ELECTIONS 2022 PRESIDENT

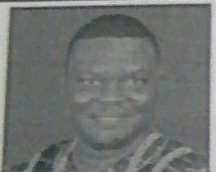


CANDIDATE

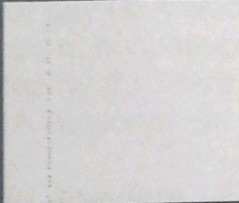
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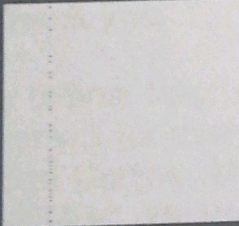
DAVE AGBENU



GAYHEART MENSAH



ALBERT KWABENA DWUMFOUR



This is the instrument marked as exhibit..... referred to the affidavit..... sworn before me this..... day of.....  
*[Signature]*  
COMMISSIONER FOR OATHS

JLA 3

THE CHAIRMAN  
ELECTIONS COMMITTEE  
GJA, IPC ACCRA

Date: 16.06.2022

Dear Sir,

PETITION AGAINST ALBERT DWUMFOUR ON ELECTION MALPRACTICES  
I write as an esteemed member in good standing of the Ghana Journalists Association and petition your office over some election malpractices happening in the ongoing GJA electioneering process. I respectfully submit this petition in the spirit of Article 52 (b) (c) and (d) GJA constitution 2004.

It states "52 (b) it shall be an election offence for any candidate to directly or indirectly offer cash, favors, any incentives, or apply threats with the intention to influence the election results. (c) Any candidate found contravening the provisions of Article 52 (b) shall be disqualified after due investigation by the elections committee and (d) if found guilty, the candidate shall be barred from standing for any GJA elections for the next two (2) subsequent general elections'. The grounds of my petition follow:

1. At exactly, 21:54hrs, Wednesday, June 1, 22, I received an invitation my former GJA Regional Secretary, **Mr Zambaga Rufai Sanimu**:

2. "Good evening. Please Albert Kwabena Dwumfuor will be here to campaign. He will meet us at Atlantic Hotel at 1 pm tomorrow. You are invited. Thank you"

3. To my utmost surprise, and other members of GJA present, it was free lunch and drink at will for every paid up member present. Members present include: Mr Desmond Cudjoe, Mrs Marie Aziz Tunde, Mike Adoadzi, Omar Sanda, J Folley all of GBC, Mr Peter Gbambila of Ghanaian Times, Mildred Siabi Mensah of GNA, Eric Adjei and Ewura Ama Smith of Media General, Theo Annim of Citinewsroom, myself of the Daily Graphic and the immediate past Chairman of GJA, Western Region, my Vice Mr Kwami Agbeli Mensah, Mr Zambaga Rufai Sanimu.

4. After hours of eating and drinking we were tossed into a meeting with Mr Samuel Amoh Tobbin to address and offer us reasons why we should vote for Mr. Albert Kwabena Dwumfour as GJA President.

5. That Mr. Albert Kwabena Dwumfour with tacit support from the Chairman of Tobinco Group of Company Mr. Amoh Tobbin offered members of the GJA in good standing offered each member seated in addition to the buffet an amount of 500.0 to vote for Mr. Albert Dwumfour.

This is the instrument marked  
as exhibit..... referred  
to the affidavit.....  
sworn before me this.....  
day of.....

COMMISSIONER FOR OATHS

6. That Mr. Amoh Tobin in the said meeting at the Atlantic Hotel in Takoradi told Journalists to vote for Mr. Dwumfour in order to protect and promote his business. He said during the previous administration (government), his business suffered under Mr Opuni and that he used the media to protect his interest. Therefore, voting for Mr. Albert Kwabena Dwumfour to become the GJA President will mean protection for his business interest.

7. Mr Tobbbin further promised to give journalists scholarships and sponsorships if they vote to elect Mr. Dwumfour as the President of the association and that "it were the conventional political election I would have asked - what do you want, TV or what and then I give you."

8. Mr Tobbbin then said he was going to give every journalist an amount for just availing themselves just for a start and if they vote for Mr. Dwumfour the rest will follow. The member of the campaign team, Mr Rufai Saminu then said to him for the safety of transparency, he (Mr Tobbbin) should declare the amount. Mr Tobbbin then said every member will receive ₵500.0.

9. After the declaration of the amount by Mr Tobbbin, the former Western Regional Secretary of GJA, Mr. Zambaga Rufai took the money after the meeting and paid every journalist who attended the meeting as redemption of Mr. Tobin's promise.

10. Aside this, Mr Albert Kwabena Dwumfour visited the region in the early part of 2020 and offered journalists between ₵300 and ₵400 cedis, Nose mask and hand sanitizers.

11. That, I have been a member of the GJA for over two decades and GJA Regional Chairman for two terms, but have not witnessed this extravagance and gross election malpractices, which are affront to GJA Constitution.

12. That in the good interest of the GJA and for our corporate image, I petition your high office to commence and accelerate investigation into this action.

13. That I have evidence of the money paid to induce members of the GJA.

14. That the Presidential candidate Mr. Dwumfour has been caught squarely by Article 52 (b) and sanctions thereof in 52 (c) and (d) must be upheld. Counting on your unbiased investigation and action into this matter to save our associations from being handed to the business community with vested interest.

Signed:

Dotsey Koblah Aklorbortu  
Member - GJA

JLA 4

**Osei Kwadwo Adow, Esq.**

Notary Public for the Republic of Ghana  
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Mr. Aftab Munnay  
President Ghana Journalists Association  
Accra

20<sup>th</sup> June 2022

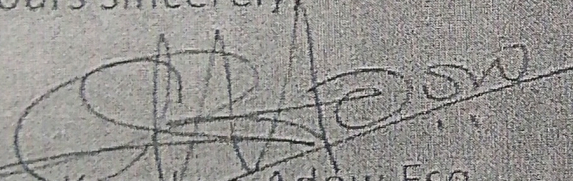
Dear Sir,

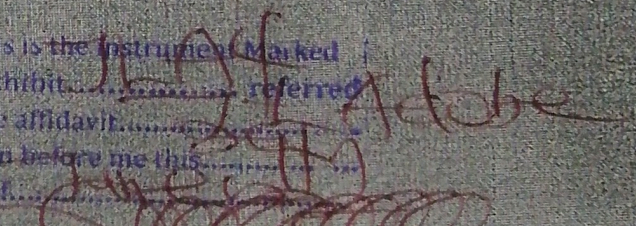
**LETTER OF RESIGNATION**

I am by this letter indicating that I have resigned as the Chairman of the Elections Committee of the Ghana Journalists Association.

My reasons are personal.

Yours sincerely,

  
Osei Kwadwo Adow Esq.

This is the instrument marked  
as exhibit... referred  
to the affidavit...  
sworn before me this...  
day of...  
  
COMMISSIONER FOR OATHS



JLAS

27<sup>th</sup> JUNE, 2022

P.O BOX KA 9669  
KIA, ACCRA

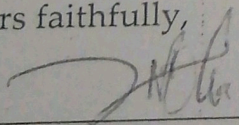
THE CHAIRMAN  
GJA ELECTION DISPUTE ADJUDICATION  
RINGWAY

DEAR SIR,

RE: PETITION AGAINST ALBERT KWABENA DWOMFOUR FOR ELECTION MALPRACTICES CONTRARY TO ARTICLE 52 OF THE GJA CONSTITUTION

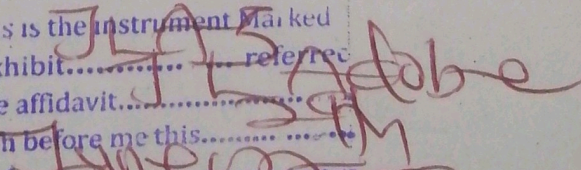
1. The above matter refers.
2. I write to petition against the election of Albert Kwabena Dwomfour as the GJA president elect during the GJA elections held on the 24<sup>th</sup> June 2022.
3. It will be recalled that prior to the elections, Mr. Dotsey Aklorbutu petitioned the GJA electoral committee against Mr. Albert Dwomfour for election malpractices, unfortunately the elections were held before that petition could be determined.
4. I have received further evidence of Mr. Albert Kwabena Dwomfour inducing members of GJA in the Western region contrary to article 52 of the GJA constitution.
5. I am therefore petitioning you to put a hold of the swearing in of the president elect and investigate this allegation and determine the necessary punishment.

Yours faithfully,



JUSTICE LEE ADOBOE

GJA MEMBER IN GOOD STANDING

This is the instrument marked JLAS as exhibit..... referred to the affidavit..... sworn before me this..... day of.....  
  
 COMMISSIONER FOR OATHS

IN THE HIGH COURT OF JUSTICE  
GENERAL JURISDICTION  
ACCRA-A.D.2022

SUIT NO.

JUSTICE ADOBOE

∴

PLAINTIFF /APPLICANT

Vs

1.GHANA JOURNALISTS ASSOCIATION ∴ DEFENDANTS/RESPONDENTS  
2.AFFAIL MONNEY  
3.ALBERT KWABENA DWUMFOUR

---

CERTIFICATE OF EXHIBITS

---

I **JUSTINA CLOTTEY** Commissioner for Oaths, Accra do hereby certify that the Defendant herein has attached to this process the following exhibits;

1. EXHIBIT JLA1.....Copy of constitution.
2. EXHIBIT JLA2.....Copy of ballot paper.
3. EXHIBIT JLA3.....Copy of letter.
4. EXHIBIT JLA4.....Copy of resignation letter.
5. EXHIBIT JLA5.....Copy of petition letter.

BEFORE ME

  
The stamp is circular and contains the text: JUSTINA CLOTTEY, COMMISSIONER FOR OATHS, P.O. BOX 100, ACCRA, GHANA.

COMMISSIONER FOR OATHS