



REGISTRAR
HIGH COURT
ACCRA

WRIT OF SUMMONS

(Order 2 rule 3(1))

WRIT ISSUED FROM ACCRA 10/05/24 202... SUIT No. GT/0677/2024

IN THE HIGH COURT OF JUSTICE

BETWEEN

MR. KWAKU OFORI ASIAMAH
No. 18, Violet Lane
Teshie Nungua Estate
Accra

PLAINTIFF

VRS

JONATHAN OWUSU ASARE
(Sued in his capacity as the
Lead Editor of The Law Platform)

DEFENDANT

To

AN ACTION having been commenced against you by the issue of this writ by the above named Plaintiff. **MR. KWAKU OFORI ASIAMAH**

- 1. 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. **JONATHAN OWUSU ASARE**
- 1. AND TAKE NOTICE that in default of your so doing, judgment may be given in your absence without further notice to you **JONATHAN OWUSU ASARE**

Dated this 10th day of May, 202... 24

Chief Justice of Ghana

G. SACKY TORKORNOO (MRS).

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.

The defendant may appear hereto by filing a notice of appearance either personally or by a lawyer at Form 5 in the Registry of the Court of issue of the writ at ACCRA. A defendant appearing personally may, if he desires, give notice of appearance by post.

*State name, place of residence or business address of plaintiff if known (not P.O. Box number).

SEALED 10/05/24
HIGH COURT ACCRA

PARTICULARS OF DEFAMATION INDORSED PURSUANT TO ORDER 57 RULE 2 C
47

- a. That on the 7th of May, 2024, the Defendant published an article titled **“Transport Minister and his wife dragged to court for ‘land grabbing’ using state security”** on its website, The Law Platform.
- b. That in the said publication, the following defamatory statements were made of the Plaintiff and his wife;
“Transport Minister and his wife dragged to court for ‘land grabbing’ using state security”
“The Minister for transport and his wife Mrs Wilhemina Asiamah are due for court on Thursday, the 9th of May, 2024 for unlawfully entering and trespassing on land located at the prime and much sought after Tse Addo residential enclave”.
- c. That the said statement by the Defendant is about an ongoing land matter which the Plaintiff is not a party to.
- d. That the said statement caught the attention of the public and has drawn negative reactions from members of the general public.

STATEMENT OF CLAIM

The Plaintiff claims against the Defendants as follows:

- a. A declaration that the statement made by the Defendant against the Plaintiff and published on The Law Platform online portal stating that;
“Transport Minister and his wife dragged to court for ‘land grabbing’ using state security”
“The Minister for transport and his wife Mrs Wilhemina Asiamah are due for court on Thursday, the 9th of May, 2024 for unlawfully entering and trespassing on land located at the prime and much sought after Tse Addo residential enclave” is defamatory of the Plaintiff.
- b. An order directed at the Defendant to retract the said defamatory statement made about the Plaintiff and published on The Law Platform online portal.
- c. An order directed at the Defendant to publish an apology to the Plaintiff in the following manner;
 - i. By making three(3) publications of the apology on The Law Platform online portal
 - ii. By making one publication in a national daily newspaper

iii. By defamed by
d. General damages agreed by the Defendant the Plaintiff as stated
e. Aggravated damages

Transport Minister and
on its website, The Law
R 57 RULE 101

- iii. By posting on the Facebook social media platform with the same prominence the defamatory words received within seven (7) days of the judgment being delivered by this Honourable Court.
- d. General damages against the Defendant in favour of the Plaintiff for the defamatory statement posted by the Defendant on The Law Platform online portal in tune with the reputational value of the Plaintiff as stated in paragraph 6 above.
- e. Aggravated damages against the Defendant for subjecting the Plaintiff to humiliating and malicious circumstances through his defamatory statement against the Plaintiff posted on The Law Platform online portal in tune with the reputational value of the Plaintiff as stated in paragraph 6 above.
- f. Punitive damages against the Defendant in favour of the Plaintiff as punishment for the defamatory statement posted on The Law Platform online portal in tune with the reputational value of the Plaintiff as stated in paragraph 6 above.
- g. Compensatory damages against the Defendant in favour of the Plaintiff for the defamatory statement posted on The Law Platform online portal by the Defendant in tune with the reputational value of the Plaintiff as stated in paragraph 6 above.
- h. Legal costs.
- i. Any other Orders that this Honourable Court deems fit to make.

DATED AT ADDO, ADDO (LEGAL ATTORNEYS), ACCRA THIS DAY OF AUGUST, 2023.

This writ was issued by **NII KPAKPO SAMOA ADDO ESQ.**
whose address for service is **ADDO, ADDO (LEGAL ATTORNEYS)**
NO. 34 TEMA MOTORWAY, SPINTEX ROAD, NEXT TO CEMIX GHANA
LTD. ACCRA.

ADDO, ADDO (LEGAL ATTORNEYS)
NO. 34 TEMA MOTORWAY,
SPINTEX ROAD, ADJACENT CEMIX
GHANA LIMITED ACCRA.
P.O. BOX KW 534, KWABENYA-ACCRA

Agent for **THE PLAINTIFF**
Address Number and date of lawyer's current licence. **eGAR 01025/24**
Lawyer for the plaintiff **NII KPAKPO SAMOA ADDO ESQ**

who resides at **ACCRA**

Indorsement to be made within 3 days after service

This writ was served by me at
on the defendant
on the 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
GENERAL JURISDICTION
ACCRA- AD 2024

Filed on 10/05/24
at 3:00 am/pm
SUIT NO. [REDACTED]
PLAINTIFF [REDACTED]
HIGH COURT
ACCRA

MR. KWAKU OFORI ASIAMAH

No. 18 Violet
Teshie Nungua Estates
Accra

VRS

JONATHAN OWUSU ASARE

DEFENDANT

**(Sued in his capacity as the
Lead Editor of The Law Platform)**
(Plaintiff shall direct service)

STATEMENT OF CLAIM

1. The Plaintiff is a public servant and serves as the Minister for Transport in Ghana under the cabinet of President Nana Akufo-Addo since February, 2017.
2. The Defendant is the lead editor of The Law Platform, an online law magazine that publishes legal content and news on other law related matters.
3. The Plaintiff is a very highly respected by many, both locally and abroad especially as the Plaintiff has by virtue of his work as a minister worked with various individuals, bodies, institutions and organs within and outside Ghana.
4. The Plaintiff has served as a member of NPP campaign team in the Central Region in 2008, 2012 and 2016. He has been serving as a member of National Council of the New Patriotic Party (NPP) from 2009.
5. The Plaintiff was named as part of nineteen ministers who would form the cabinet of the President. As a Cabinet minister, the Plaintiff is part of the inner circle of the President and is to aid in key decision-making activities in the country.
6. The Plaintiff says that his reputational value as a result of his professional and public service is worth in excess of **Five Million Ghana Cedis (GHC5,000,000.00)** at present

The Plaintiff says that on the 7th of May, 2024, the Defendant published an article titled **"Transport Minister and his wife dragged to court for 'land grabbing' using state security"** on The Law Platform website.

8. The Plaintiff says that in the said publication, the following defamatory statements were made of the Plaintiff and his wife;

"Transport Minister and his wife dragged to court for 'land grabbing' using state security"

"The Minister for transport and his wife Mrs Wilhemina Asiamah are due for court on Thursday, the 9th of May, 2024 for unlawfully entering and trespassing on land located at the prime and much sought after Tse Addo residential enclave".

9. The Plaintiff says that the said publication of the Defendant on his website, The Law Platform, is defamatory of the Plaintiff's hard earned reputation as a public servant with several years of service.

10. The Plaintiff avers that in terms of the comments made by the Defendant, pleaded in Paragraph 7 above, the Defendant meant and was understood to mean that the Plaintiff is a criminal, taking forcefully what does not belong to him and the abusing his office as a public officer.

11. The Plaintiff states that the statements; **"Transport Minister and his wife dragged to court for 'land grabbing' using state security"** and **"The Minister for transport and his wife Mrs Wilhemina Asiamah are due for court on Thursday, the 9th of May, 2024 for unlawfully entering and trespassing on land located at the prime and much sought after Tse Addo residential enclave"** made by the Defendant of the Plaintiff is defamatory.

PARTICULARS OF DEFAMATION

- a. That on the 7th of May, 2024, the Defendant published an article titled **"Transport Minister and his wife dragged to court for 'land grabbing' using state security"** on its website, The Law Platform.

- b. That in the said publication, the following defamatory statements were made of the Plaintiff and his wife;

"Transport Minister and his wife dragged to court for 'land grabbing' using state security"

the Minister for transport and his wife Mrs Wilhemina Asiamah are due for court on Thursday, the 9th of May, 2024 for unlawfully entering and trespassing on land located at the prime and much sought after Tse Addo residential enclave”.

- c. That the said statement by the Defendant is about an ongoing land matter which the Plaintiff is not a party to.
- d. That the said statement caught the attention of the public and has drawn negative reactions from members of the general public.

12. The Plaintiff avers that the said statement of the Defendant on the Law Platform website has lowered the reputation of the Plaintiff in the estimation of right thinking members of the public.

13. The Plaintiff says that the statement by the Defendant is careless and reckless and without any lawful excuse or justification.

14. The Plaintiff says that the statements made by the Defendant are entirely malicious.

PARTICULARS OF MALICE

a. That on the 7th of May, 2024, the Defendant published an article titled **“Transport Minister and his wife dragged to court for 'land grabbing' using state security”** on its website, The Law Platform.

b. That in the said publication, the following defamatory statements were made of the Plaintiff and his wife;

“Transport Minister and his wife dragged to court for 'land grabbing' using state security”

“The Minister for transport and his wife Mrs Wilhemina Asiamah are due for court on Thursday, the 9th of May, 2024 for unlawfully entering and trespassing on land located at the prime and much sought after Tse Addo residential enclave”.

c. That the said statement by the Defendant is without justification and borne out of ill-will and total disregard for the Plaintiff's reputation in society.

Plaintiff says that the said defamatory statement was made with the sole intent of reducing him in the estimation of all right thinking persons reading it in Ghana and all over the world.

16. The Plaintiff says that after the publication was made, he received several phone calls and messages from his family, friends, colleagues and business associates, who had read the article.

17. The Plaintiff says that the Defendant's defamatory statement is a calculated attempt on the part of the Defendant to injure the hard earned reputation of the Plaintiff.

18. **WHEREFORE** the Plaintiff claims against the Defendant as follows;

a. A declaration that the statement made by the Defendant against the Plaintiff and published on The Law Platform online portal stating that;

"Transport Minister and his wife dragged to court for 'land grabbing' using state security"

"The Minister for transport and his wife Mrs Wilhemina Asiamah are due for court on Thursday, the 9th of May, 2024 for unlawfully entering and trespassing on land located at the prime and much sought after Tse Addo residential enclave" is defamatory of the Plaintiff.

b. An order directed at the Defendant to retract the said defamatory statement made about the Plaintiff and published on The Law Platform online portal.

c. An order directed at the Defendant to publish an apology to the Plaintiff in the following manner;

i. By making three(3) publications of the apology on The Law Platform online portal

ii. By making one publication in a national daily newspaper

iii. By posting on the Facebook social media platform with the same prominence the defamatory words received within seven (7) days of the judgment being delivered by this Honourable Court.

d. General damages against the Defendant in favour of the Plaintiff for the defamatory statement posted by the Defendant on The Law Platform online