



**ACTION PEOPLES PARTY (APP)**  
**OSUN STATE CHAPTER**

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## **REJOINDER TO THE NATIONS NEWSPAPER PUBLICATION OF 28<sup>TH</sup> JUNE, 2025 - OSUN LG CRISIS: APM BERATES OZEKHOME, OVER 'INCORRECT' REVIEW OF COURT VERDICT**

My attention has been drawn to a misleading The Nations newspaper publication (<https://thenationonlineng.net/osun-lg-crisis-apm-berates-ozekhome-over-incorrect-review-of-court-verdict/>) dated 28<sup>th</sup> June, 2025 captioned: **“OSUN LG CRISIS: APM BERATES OZEKHOME, OVER 'INCORRECT' REVIEW OF COURT VERDICT.”** The said publication contained several factual irregularities qua misrepresentations and is a deliberate attempt to input into the judgment of the Court of Appeal delivered on 10<sup>th</sup> February, 2025 (in Appeal **No: CA/AK/270/2022 - All Progressives Congress & 3 Ors v. Peoples Democratic Party & 3 Ors.**), with respect to the 2022 Osun State Local Government election what were not contained therein.

### **THE 10<sup>TH</sup> FEBRUARY, 20225 COURT OF JUDGMENT APPEAL DID NOT EXPRESSLY OR IMPLIEDLY ORDER THE REINSTATEMENT OF THE LEGITIMATELY SACKED CHAIRMEN AND COUNCILORS**

Firstly, it was misleadingly claimed in the said publication that:

**“In a judgment delivered on February 10th 2025, the Appeal Court reinstated the All Progressives Congress (APC) elected Local Government chairmen and councilors earlier sacked by two Federal High Court verdicts, while other Appeal (APP case) was dismissed on June 13.”** (emphasis is mine)

It is apposite to emphatically state that the Court of Appeal never made any order, expressly or impliedly, reinstating the Local Government Chairmen and Councilors, purportedly elected on the platform of the All Progressives Congress on 15<sup>th</sup> October, 2022, in any part of the judgment referenced. In the said referenced judgment, the Court of Appeal only considered **two jurisdictional issues** in the said appeal and never went into the **merit of the Appeal.**

For ease of reference and the sake of clarity, the holding of the **Court of Appeal** at **page 49** of its judgment of **10<sup>th</sup> February 2025** is reproduced below:

**“The lower Court was clearly wrong in granting leave to amend an incompetent originating summon in such circumstances as the summons sought to be amend did not disclose any cause of action. The exercise of discretion by the lower Court was wrongfully made and it is liable to be set aside. Issues one and by extension, issue two formulated by the appellants succeed and they are resolved in their favour and against the respondents.**

**Now, since it is the position of this Court that there is no valid originating process to confer jurisdiction on the lower Court to hear and determine the claim of the 1<sup>st</sup> respondent, there is no point in considering the remaining issues. A consideration of the two remaining issues has now become an academic exercise which this Court is not prepared to venture into.”**

Running through the labyrinth of the watery, misleading and vaguely written publication under reference, the journalist curiously and deliberately refused, failed and neglected to state the specific page, wherein the Court of Appeal, in its judgment of 10th February, 2023 reinstated the sacked Chairmen and Councilors.

### **MISLEADING THE GENERAL PUBLIC IS UNETHICAL- SETTING THE RECORDS STRAIGHT**

In a deliberate, calculated, unethical attempt to mislead the general public by muddling up and concealing certain material facts in relation to the local government debacle in Osun State, vide the publication under reference, allusion was made to a statement credited and purportedly signed by the Chairman of the APM, Hon. Adewale Adebayo, misinterpreting the decisions of both the Federal High Court and Court of Appeal, wherein it was stated thus:

“The review of the SAN exposed that he(Ozekhome) does not have much understanding of legal intricacies involved. Verdicts of FHC/OS/CS/94/2022 (PDP) and FHC/OS/103/2022 (APP) was delivered in November 2022. APM was joined in APP's case and at the Appeal it was struck out for want of prosecution in January.”

It must be noted that even though the **Court of Appeal** set aside the judgment of the **Federal High Court** delivered on **25<sup>th</sup> November 2022** in **Suit No: FHC/OS/CS/94/2022 between Peoples Democratic Party (PDP) vs. Independent National Electoral Commission (INEC) & Ors.** on **jurisdictional grounds**; the **Court of Appeal** did not in any part of the judgment make any order reinstating the said **Local Government Chairmen and Councilors**.

Furthermore, it is pertinent to reiterate that before the judgment of the **Court of Appeal** delivered on **10<sup>th</sup> February 2025**, two separate judgments of the **Federal High Court** nullified the local government election held in **October 2022** and only one of the judgments of the **Federal High Court** was set aside by the **Court of Appeal** in its decision delivered on **10<sup>th</sup> February 2025**, while the other Judgment of the Federal High Court in **Suit No: FHC/OS/CS/103/22 between Action Peoples Party (APP) vs. Independent National Electoral Commission (INEC) & 6 Ors.** delivered on **30<sup>th</sup> November 2022** is still extant, valid and binding on all parties.

The **Court of Appeal** in its **Lead Ruling** of **13<sup>th</sup> June, 2025** delivered in **Appeal No: CA/AK/15/2025- Allied People Movement & 2 Ors v. Action Peoples Party (APP)** reemphasized the above point when it held at **page 16 (paragraph 2)** of the said **Ruling** that:

**“Of course, the dismissal of the appeal means that there being no existing appeal against the judgment of the lower court, the said judgment stands as the authority defining the state of affairs as it regards the status of the Officers of the various Local Government Councils in Osun State.”**

Furthermore, the **Court of Appeal** in its **Lead Ruling**, further held on **page 32 (paragraph 2)** of the said **Ruling** that:

**“The parties locked horns before the Federal High Court, Osogbo in Suit No.: FHC/OS/CS/103/2022 which was an action in respect of election into Local Government Councils in Osun State. The lower court delivered its judgment on 30th November, 2022 EFFECTIVELY NULLIFYING the election into the Local Government Councils across Osun State and SACKED all individuals occupying offices in the Local Government Councils by virtue of the said election.”**  
(emphasis is mine)

## **CONCURRING RULING/DECISION VALIDATED THE 22<sup>ND</sup> FEBRUARY LOCAL GOVERNMENT ELECTION CONDUCTED BY THE OSUN STATE INDEPENDENT ELECTORAL COMMISSION (OSSIEC)**

The Court of Appeal, in its concurring decision of 13<sup>th</sup> June, 2025, affirmed the validity of the fresh local government election (conducted by **OSSIEC**) held on **22<sup>nd</sup> February 2025**, and the swearing-in of the new Chairmen and Councilors elected under the platform of the Peoples Democratic Party. It is a well-settled position of our jurisprudence that a **concurring judgment has equal weight with that of the lead judgment, as concurring judgment complements, edifies and adds to the leading judgment.**

Shorn of all pretention and legal gymnastics, the pertinent question to be asked at this point is one, **is there any decision of the appellate court setting aside the judgment of the Federal High Court in Suit No: FHC/OS/CS/103/22 between Action Peoples Party (APP) vs. Independent National Electoral Commission (INEC) & 6 Ors. delivered on 30<sup>th</sup> November 2022, which nullified the Local Government Election held in October 2022 from which the APC Chairmen and Councilors emerged? The answer is No!**

If there is none, the next question to be asked **is the judgment of the Federal High Court in Suit No: FHC/OS/CS/103/22 between Action Peoples Party (APP) vs. Independent National Electoral Commission (INEC) & 6 Ors. delivered on 30<sup>th</sup> November 2022, not valid, binding and ought to be obeyed by all authorities throughout the Federal Republic of Nigeria?**

### **APPEAL TO THE ATTORNEY-GENERAL OF THE FEDERATION TO SIDE WITH THE RULE OF LAW**

Flowing from the above, it is my humble but firm assertion, that the Attorney-General of the Federation, as the Chief Law Officer of the Federation is not caught between the devil and the deep blue sea, with respect to the Osun State local government debacle. Respectfully, it is a rather straightforward case, which political permutations have rather made complex, depriving the good people of Osun State of the dividends of democracy at the grassroot/local level.

It is my humble appeal, that the Attorney-General of the Federation, as a respecter of the decisions of courts of law and in compliance with the rule of law, advise the Federal Government to release the statutory funds meant for the 30 Osun State Local Government Councils, which have been unjustly withheld since January 2025 to the local government Chairmen and Councilors elected during the legitimately conducted 22<sup>nd</sup> February, 2025 local government election.

## **JOURNALISTS MUST UPHOLD THE TRUTH AT ALL TIMES AS THE FOURTH ESTATE OF THE REALM**

The newspaper publication under reference is heavily laced with distortions, half-truths, misrepresentations, conjectures calculated to misinform members of the general public capable of heating up the polity and causing unrest in Osun State. This is contrary to **the preamble of the 2022 Revised Code of Ethics for Nigerian Journalists (the Code), which states in part thus:**

**“Journalism entails a high degree of public trust. To earn and maintain this trust, it is morally imperative for every journalist and every news medium to observe the highest professional and ethical standards. In the exercise of these duties, a journalist should always have a healthy regard for the public interest. Truth is the cornerstone of journalism and every journalist should strive diligently to ascertain the truth of every event...”**

Furthermore, the said publication also breached Article 2 of the Code, which relates to “fairness and accuracy” of information disseminated by it to the public through its publications. Article 2 specifically provides thus:

- “i. The public has a right to know. Factual, accurate balance and fair reporting is the ultimate objective of good journalism and the basis of earning public trust and confidence.**
- ii. A journalist should refrain from publishing inaccurate and misleading information. Where such information has been inadvertently published, prompt correction should be made. A journalist must hold the right of reply as a cardinal rule of practice.**
- iii. In the course of his duties a journalist should strive to separate facts from conjecture and comment.”**

**Signed:**

**Odesola Oluseye Titus  
Chairman, Action Peoples Party (APP)**