

IN THE SUPERIOR COURT OF JUDICATURE

IN THE SUPREME COURT OF GHANA

AD 2024

WRIT TO INVOKE ORIGINAL JURISDICTION PURSUANT TO ARTICLE 2. (1) AND 130. (1)(b) OF THE 1992 CONSTITUTION, AND RULE 45. (1) OF THE SUPREME COURT RULES, 1996, C.I. 16

SUIT NO:.....

KENNETH KWABENA AGYEI KURANCHIE)PLAINTIFF

H/NO. 5,
RUBY STREET,
ACHIMOTA, ACCRA
GPS ADDRESS: GA-302-0449

VERSUS

1. THE ATTORNEY GENERAL)DEFENDANTS

ATTORNEY GENERAL’S DEPARTMENT
ACCRA

2. OFFICE OF SPECIAL PROSECUTOR)

6 HAILE SELASSIE AVE,
SOUTH RIDGE,
ACCRA, GHANA.

TO:

1. THE ATTORNEY GENERAL, ATTORNEY GENERAL'S DEPARTMENT, ACCRA
2. OFFICE OF SPECIAL PROSECUTOR, 6 HAILE SELASSIE AVE, SOUTH RIDGE,, ACCRA, GHANA.

IN THE NAME OF THE REPUBLIC OF GHANA you are hereby commanded within fourteen (14) days after the service on you of the statement of Plaintiff's case inclusive the day of service, that you are to file or cause to be filed for you a statement of the Defendant's case in an action at the suit of:

KENNETH KWABENA AGYEI KURANCHIE, H/NO. 5, RUBY STREET, ACHIMOTA, ACCRA

PLAINTIFF SUES PER THE FOLLOWING RELIEFS

1. A declaration that the Office of the Special Prosecutor Act, 2017 (ACT 957) is contrary to Articles 11, 17. (1),(2) and (3), 88. (3) and (4), 289.(2), 290. (1) (f) and 290. (2) to (4), 12. (2) and 107 (b) of the 1992 Constitution;
2. A declaration that by the combined effects of Articles 290. (1)(f) and 290. (2) to (6), 93. (2), 107.(b) of the 1992 Constitution, Section 2 of the Office of the Special Prosecutor Act, 2017 (ACT 957) has amended Article 88 of the 1992 Constitution and therefore contrary to Articles 11. (1)(b) of the 1992 Constitution;
3. A declaration that Section 4. (1) of Act 959 is contrary to Article 58. (1) and (2) of the 1992 Constitution.
4. A declaration that Section 25. (3) of Act 959 is contrary to Article 187. (5) and (6) of the 1992 Constitution.
5. A declaration that the true effect of Section 25. (3) of Act 959 is to amend Article 187. (5) and (6) of the 1992 Constitution and therefore contrary to Article 289, 290. (1)(j) and 290. (2) to (6).
6. A declaration that Section 26 of Act 959 is contrary to Article 187. (5) and (6) of the 1992 Constitution.
7. A declaration that the true effect of Section 26 of Act 959 is to amend Article 187. (5) and (6) of the 1992 Constitution and therefore contrary to Articles 289. (2), 290. (1) (j) and 290. (2), (3), (4), (5), and (6).
8. A declaration that Section 28 of Act 959 is contrary to Article 200. (2) and (3) of the 1992 Constitution.

9. A declaration that the true effect of Section 28 of Act 959 is to amend Article 200 of the 1992 Constitution and therefore contrary to Articles 289. (2), 290. (1) (k) and 290. (2), (3), (4), (5), and (6).
10. A declaration that Sections 29. (1), (2), (3), and (6), 30. (1) and 31 of Act 959 are contrary to Articles 15. (2), 19. (2)(c) and (10) of the 1992 Constitution.
11. A declaration that Section 32 of Act 959 is contrary to Articles 18, 19. (2)(c) and (d), 15. (2) and 19. (10) and Article 125. (3) of the 1992 Constitution.
12. A declaration that Sections 32 to 37 of Act 959 are contrary to Articles 19. (11), 15. (1) to (3) and Article 125. (3) of the 1992 Constitution.
13. A declaration that Sections 38 to 43 of Act 959 are contrary to Articles 18. (1), (2), 19. (2)(c) to (h), and (11), and 125. (3) of the 1992 Constitution. (guilty before innocent)
14. A declaration that Section 23. (2) and (3) of Act 959 is contrary to 176 of the 1992 Constitution.
15. A declaration that Section 3. (1)(d) of Act 959 is contrary to Articles 175 and 176. (1) of the 1992 Constitution.
16. A declaration that all monies and revenue and recoveries arising out of Sections 65 and 66 of Act 959 constitute public monies and revenue under Article 175 and 176 and properly ought to be paid into the Consolidated Fund.

The capacity in which the plaintiff is bringing the action is as follows:

A CITIZEN OF GHANA

The address for service of the plaintiff is bringing the action is as follows:

H/NO. 5, RUBY STREET, ACHIMOTA, ACCRA

The address for service of Counsel for the plaintiff is as follows:

.....

The names and addresses of persons affected by this writ are as follows:

3. THE ATTORNEY GENERAL)

.....DEFENDANTS

ATTORNEY GENERAL'S DEPARTMENT

ACCRA

4. OFFICE OF SPECIAL PROSECUTOR

6 HAILE SELASSIE AVE,

SOUTH RIDGE,

ACCRA, GHANA.

DATED THIS.....DAY OF JULY, 2024, ACCRA

.....

PLAINTIFF

THE REGISTRAR

SUPREME COURT

SUPREME COURT BUILDING

ACCRA