



AMENDED WRIT OF SUMMONS

(Order 2 rule 3(1))

WRIT ISSUED FROM **Accra 26/9/2025** SUIT No.

IN THE HIGH COURT OF JUSTICE

ACCRA - A.D. 2025

BETWEEN

1. JOSHUA EDEM ADZIDO-DOE

Customs Headquarters- Accra

2. PRINCE-HENRY AMANOR TERKPERTEY

Customs Division, Tema Oil Refinery

AND

1. CUSTOMS STAFF ASSOCIATION

2. CHRISTOPHER MOHAMMED MOSONGO

3. GIFT EMMANUEL KOFI TSAMAH

Customs Headquarters- Accra

Plaintiffs*

Defendant *

To

AN ACTION having been commenced against you by the issue of this writ by the above-named Plaintiff.

1. JOSHUA EDEM ADZIDO-DOE

2. Prince-Henry Amanor

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.

1. CUSTOMS STAFF ASSOCIATION

2. CHRISTOPHER MOHAMMED MOSONGO

3. GIFT EMMANUEL KOFI TSAMAH

AND TAKE NOTICE that in default of your so doing, judgment may be given in your absence without further notice to you.

1. CUSTOMS STAFF ASSOCIATION

2. CHRISTOPHER MOHAMMED MOSONGO

3. GIFT EMMANUEL KOFI TSAMAH

Dated this **26th** day of **Sept**
Chief Justice of Ghana

2025

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 at the Registry of the Court of issue of the writ at A defendant appearing personally may, if he desire give notice of appearance by post.

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

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

STATEMENT OF CLAIM

WHEREFORE the Plaintiff claims from the Defendants as follows:

- a. A declaration that the National Delegates Conference and elections conducted by the Defendants between 16th and 20th September 2025 is unlawful by reason of the Defendants failure to comply with the Constitution.
- b. An order setting aside all actions, resolutions, elections, and appointments carried out pursuant to the said unlawful Congress.
- c. An order of perpetual injunction restraining all persons purportedly elected as executives of the 1st Defendant at the National Delegates Conference held from 16th to 20th September 2025 from holding themselves out, representing themselves, or otherwise acting in any capacity whatsoever as National Executive Officers of the 1st Defendant, or performing any functions connected therewith.
- d. An order directing all members of the National Executive Committee of the 1st Defendant who participated in or contributed to the organization and conduct of the National Delegates Conference held from 16th to 20th September 2025 to personally account for and refund to the 1st Defendant all financial losses, misapplied funds, or expenditures incurred in connection with the said unconstitutional and unlawful event.
- e. Cost including attorney fees.
- f. Any other reliefs or remedies that the honourable Court may deem fit.

This writ was issued by
whose address for service
is: **KWADWO AFFRAM
ASIEDU & PARTNERS
(PATAWOTUO CHAMBERS)
21 SAMORA MACHEL ROAD
ASYLUM DOWN, ACCRA**

ABDUL AZIZ GOMDA ESQ.

**KWADWO AFFRAM ASIEDU & PARTNERS
(PATAWOTUO CHAMBERS)
21 SAMORA MACHEL ROAD
ASYLUM DOWN, ACCRA
Chambers Licence No. ePP097/9/25**



Agent for **PLAINTIFF**

Address Number and date of lawyer's current licence. **LIC NO.: eGAR02297/25**

Lawyer for the plaintiff 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).

Filed on 26/9/25
at 11:45
Registrar
GENERAL JURISDICTION LCC ACCRA

**IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
GENERAL JURISDICTION
ACCRA- A.D. 2025**

SUIT NO.:

BETWEEN

JOSHUA EDEM ADZIDO-DOE
Customs Headquarters- Accra

1ST PLAINTIFF

PRINCE-HENRY AMANOR TERKPERTEY
Customs Division, Tema Oil Refinery

2ND PLAINTIFF

AND

CUSTOMS STAFF ASSOCIATION
Customs Headquarters- Accra

1ST DEFENDANT

CHRISTOPHER MOHAMMED MOSONGO
Customs Headquarters- Accra

2ND DEFENDANT

GIFT EMMANUEL KOFI TSAMAH
Customs Headquarters- Accra

3RD DEFENDANT

AMENDED STATEMENT OF CLAIM

1. The Plaintiffs, are Custom Officers and members of the 1st Defendant in good standing.
2. The 1st Defendant is an Association of Customs Officers and incorporated under the laws of Ghana as a company limited by guarantee.

3. The 2nd Defendant was until Friday **September 19, 2025** the Acting National Chairman of the 1st Defendant and among other things responsible for the day-to-day running of the Association.
4. The 3rd Defendant was until Friday **September 19, 2025** the National Secretary of the 1st Defendant who among other things is mandated to keep an accurate record of all correspondences and minutes of the Association deliberations and to make same available to members whenever required as well as to present a report of the Association's activities at each National Conference.
5. Pursuant to the 1st Defendant's Constitution, the 1st Defendant is obligated to convene and organize a National Delegates Conference in strict compliance with prescribed procedural requirements outlined in several provisions of the of its Constitution, including, Articles 18 and 19.
6. However, the Defendants have failed to comply with the said provisions and have gone ahead to convene a National Delegates Conference at Volta Serene Hotel, Ho on **16th to 20th September 2025**.
7. The Defendant's preparation and processes relating to the said Conference were non-compliant with several mandatory provisions of the its Constitution.

Particulars of non-compliance

- i. *Article 18(c) – The improper and unauthorized composition of the delegates list from various branches in breach of the required range of four (4) to six (6) delegates per branch;*
- ii. *Article 18(e)(i) – The failure of the Defendants to distribute audited accounts to all branches at least thirty (30) days before the said Conference;*
- iii. *Article 19(h) – The failure of the Vetting Committee to submit qualified nominees to the Election Committee at least twenty-one (21) days before the Conference;*
- iv. *Article 19(k) – The failure to organize and supervise Branch elections within the mandatory three-month period preceding the National Delegates Conference.*
- v. *Article 20: There was no Vetting Committee contrary to Article 20 of the Constitution*
- vi. *Article 21(a): No formal appointment of the Election Committee by the National Executive Committee in consultation with the National Delegates Conference.*

vii. *Article 21(d)(ii): the election was not conducted and supervised by the Representative of the Electoral Commission of Ghana contrary to the provisions of the Constitution in the Article under reference.*

8. The cumulative effect of the aforementioned violations constitutes a flagrant breach of the 1st Defendant's Constitution and renders the convening and conduct of the National Delegates Conference, including the elections of new executives null and void.
9. A member of the 1st Defendant, on **5th September 2025**, addressed a formal written demand to the 1st Defendant, requesting strict compliance with the Constitution, failing which he would seek legal redress.
10. However, in a letter dated **7th September, 2025**, the 1st Defendant, justified the infractions and refused to remedy the violations.
11. All attempts by the Plaintiffs and other concerned members of 1st Defendant to have the Defendants remedy the said violations have failed.

WHEREFORE the Plaintiffs claim against the Defendants as follows:

- a. A declaration that the National Delegates Conference and elections conducted by the Defendants between 16th and 20th September 2025 is unlawful by reason of the Defendants failure to comply with the Constitution.
- b. An order setting aside all actions, resolutions, elections, and appointments carried out pursuant to the said unlawful Congress.
- c. An order of perpetual injunction restraining all persons purportedly elected as executives of the 1st Defendant at the National Delegates Conference held from 16th to 20th September 2025 from holding themselves out, representing themselves, or otherwise acting in any capacity whatsoever as National Executive Officers of the 1st Defendant, or performing any functions connected therewith.
- d. An order directing all members of the National Executive Committee of the 1st Defendant who participated in or contributed to the organization and conduct of the National Delegates Conference held from 16th to 20th September 2025 to personally account for and refund to the 1st Defendant all financial losses, misapplied funds, or expenditures incurred in connection with the said unconstitutional and unlawful event.

- e. Cost including attorney fees.
- f. Any other reliefs or remedies that the honourable Court may deem fit.

**DATED AT THE LAW OFFICES OF KWADWO AFRAM ASIEDU & PARTNERS
(PATAWOTUO CHAMBERS) IN ACCRA THIS 24TH DAY OF SEPTEMBER 2025.**



ABDUL AZIZ GOMDA, ESQ.

Sol. Lic. eGAR02297/25

BP No.: 3000069373

TIN: P0004578317

Lawyer for the Plaintiff

**TO:
THE REGISTRAR
HIGH COURT
GENERAL JURISDICTION
ACCRA**

AND FOR SERVICE ON THE ABOVE-NAMED DEFENDANTS

Filed on... 26/9/25
at ... 11:35 am/pm
Registrar
JURISDICTION LCC ACCRA

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
GENERAL JURISDICTION
ACCRA- A.D. 2025

SUIT NO.:

BETWEEN

JOSHUA EDEM ADZIDO-DOE
Customs Headquarters- Accra

1ST PLAINTIFF

PRINCE-HENRY AMANOR TERKPERTEY
Customs Division, Tema Oil Refinery

2ND PLAINTIFF

AND

CUSTOMS STAFF ASSOCIATION
Customs Headquarters- Accra

1ST DEFENDANT

CHRISTOPHER MOHAMMED MOSONGO
Customs Headquarters- Accra

2ND DEFENDANT

GIFT EMMANUEL KOFI TSAMAH
Customs Headquarters- Accra

3RD DEFENDANT

MOTION ON NOTICE FOR AN ORDER OF INTERLOCUTORY INJUNCTION PURSUANT
TO ORDER 25 RULE 1 OF THE HIGH COURT (CIVIL PROCEDURE) RULES 2004,
(C.I.47) AND THE INHERENT JURISDICTION OF THE HIGH COURT

TAKE NOTICE that this honourable Court shall be moved by ABDUL AZIZ GOMDA ESQ.
Counsel for and on behalf of the Plaintiffs/Applicant praying this honourable Court
to, on the grounds set forth in the accompanying affidavit in support, grant as follows;

- a. An order of interlocutory injunction restraining all persons purportedly
elected as executives of the 1st Defendant at the National Delegates Conference

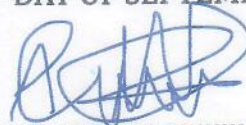
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held from 16th to 20th September 2025 from holding themselves out, representing themselves, or otherwise acting in any capacity whatsoever as National Executive Officers of the 1st Defendant, or performing any functions connected therewith, pending the final determination of the substantive suit herein.

- b. An order of interlocutory injunction restraining all persons purportedly elected as executives of the 1st Defendant at the National Delegates Conference held from 16th to 20th September 2025, their agents, privies, or any persons acting through them, from operating, accessing, or withdrawing funds from any bank account or financial instrument belonging to the 1st Defendant, pending the final determination of the suit.
- c. Any other order(s) that the honourable Court may deem fit.

COURT TO BE MOVED on the day of , 2025 at 9 0'clock in the forenoon or so soon thereafter as Counsel for and on behalf of the Applicant may be heard.

DATED AT THE LAW OFFICES OF KWADWO AFRAM ASIEDU & PARTNERS
(PATAWOTUO CHAMBERS) IN ACCRA THIS 24TH DAY OF SEPTEMBER 2025.



ABDUL AZIZ GOMDA, ESQ.
Sol. Lic. eGAR02297/25
BP No.: 3000069373
TIN: P0004578317

Lawyer for the Plaintiff/Applicant

TO:
THE REGISTRAR
HIGH COURT
GENERAL JURISDICTION
ACCRA

AND FOR SERVICE ON THE ABOVE-NAMED RESPONDENTS

Filed on 26/9/25
at 11:35 am/pm
Registrar
GENERAL JURISDICTION ACC-ACCRA

IN THE SUPERIOR COURT OF JUDICATURE
IN THE HIGH COURT OF JUSTICE
GENERAL JURISDICTION
ACCRA- A.D. 2025

SUIT NO.:

BETWEEN

JOSHUA EDEM ADZIDO-DOE

1ST PLAINTIFF

Customs Headquarters- Accra

PRINCE-HENRY AMANOR TERKPERTEY

2ND PLAINTIFF

Customs Division, Tema Oil Refinery

AND

CUSTOMS STAFF ASSOCIATION

1ST DEFENDANT

Customs Headquarters- Accra

CHRISTOPHER MOHAMMED MOSONGO

2ND DEFENDANT

Customs Headquarters- Accra

GIFT EMMANUEL KOFI TSAMAH

3RD DEFENDANT

Customs Headquarters- Accra

AFFIDAVIT IN SUPPORT MOTION ON NOTICE FOR AN ORDER OF INTERLOCUTORY
INJUNCTION

I, JOSHUA EDEM ADZIDO-DOE, of the Customs, Head Quarters, Accra do hereby
solemnly swear and state as follows:

1. That I am the 1st Plaintiff/Applicant in this suit and the deponent herein.
2. That I have the consent and authority of the 2nd Plaintiff/Applicant to depose to this Affidavit jointly on my behalf and on behalf of the 2nd Plaintiff/Applicant.
3. That the facts deposed to herein are matters within my personal knowledge, information and belief.
4. That at the hearing of this application, my Counsel shall seek leave of this honourable Court to refer to all the processes filed in this matter as if same were set out in extenso herein and sworn to on oath.
5. That the Applicants are Customs Officers and a fully paid-up member of the 1st Defendant, the Customs Staff Association (CSA), in good standing and in that capacity, a major stakeholder by which I have a right to contribute towards its development and ensure compliance to all regulations applicable to it.
6. That between **16th to 20th September 2025**, the Defendants convened a National Delegates Conference at Volta Serene Hotel, Ho which culminated in the election of national executive officers of the 1st Defendant among other things.
7. That the organization of the said conference violates key provisions of the Constitution of the 1st Defendant.
8. That the Applicants have challenged the validity of the said conference and elections in the substantive suit before this Honourable Court.
9. That if the individuals elected at the said unconstitutional conference are permitted to hold themselves out and perform functions as executives, it would irreparably prejudice the Applicants and entrench illegality.
10. That the balance of convenience is in favour of granting this injunction as the purported executives would suffer no prejudice if restrained, while the Plaintiffs and the Association as a whole would suffer significant institutional and reputational harm.

11. That unless this Honourable Court intervenes by way of injunction, the newly elected executives will continue to perpetuate an illegality.
12. That the Defendants will not suffer any prejudice if restrained, but allowing the Conference to proceed risks causing significant institutional and reputational harm to the Association and its members.
13. That I am advised and verily believe that this is a proper case for the Court to grant an interlocutory injunction to until the final determination of the suit.

WHEREFORE I swear to this affidavit in support of the application.

SWORN in Accra, this 26th }
of September, 2025. }


DEPONENT

BEFORE ME


COMMISSIONER FOR OATHS.

JOSEPH J. APPENTENG
COMMISSIONER FOR OATHS
TEL: 0244-37656

2619125
11:35
Signature
TICE
GENERAL INVESTIGATION

BETWEEN

JOSHUA EDEM ADZIDO-DOE
Customs Headquarters- Accra

1ST PLAINTIFF

PRINCE-HENRY AMANOR TERKPERTEY
Customs Division, Tema Oil Refinery

2ND PLAINTIFF

AND

CUSTOMS STAFF ASSOCIATION
Customs Headquarters- Accra

1ST DEFENDANT

CHRISTOPHER MOHAMMED MOSONGO
Customs Headquarters- Accra

2ND DEFENDANT

GIFT EMMANUEL KOFI TSAMAH
Customs Headquarters- Accra

3RD DEFENDANT

**STATEMENT OF CASE IN SUPPORT OF MOTION ON NOTICE FOR AN ORDER OF
INTERLOCUTORY INJUNCTION**

INTRODUCTION

1. The Plaintiffs/Applicants (hereinafter called the “Applicants”) have invoked the discretionary jurisdiction of this honourable Court pursuant to Order 25(1) of the High Court (Civil Procedure) Rules, 2004 C.I. 47. The said rule reads:

the present application. His Lordship stated the test as follows:

- a. Firstly, a successful applicant must establish that he has a right or interest, enforceable at law, or in equity, which has been flouted or threatened unjustifiably by the conduct of the respondent.
 - b. Secondly, he must establish that on the balance of convenience he stands to suffer greater hardship, if the act he seeks to enjoin between him and the other party is permitted to continue.
 - c. Thirdly, applicant must show that his case is not frivolous and that there are legal and factual matters that required investigation.
 - d. Fourthly, applicant must adduce evidence from which the status quo ante, could be ascertained, and this Court is bound to make a finding as to whether to maintain or alter same.
7. Indeed, the Applicants have demonstrated in the affidavit in support of the motion that, they are members of the 1st Defendant in good standing and by that capacity are seeking as a matter of personal right, compliance of its Constitution. Consequently, they have made an allegation that, the Respondents have engaged in acts that flout its Constitution amounting to an illegality.
8. The reliefs the Applicants seek from this honourable Court on the face of their pleadings and the affidavit in support of the instant application are reliefs this honourable Court has jurisdiction to grant. My Lord, it can therefore be said that, the Applicants' action against the 1st Respondent is not frivolous or vexatious as cautioned in **VANDERPUYE V. NARTEY** [1977] 1 GLR 423.
9. In the unreported case of **SWISS WATCH COMPANY LIMITED V. ANNIE LARNYO ARYTEY AND 3 OTHERS** Suit No.: H1/19/2016 the Court of Appeal described a vexatious and frivolous suit in the following words;

"A frivolous suit is among other things, one that is said to lack a legal basis or legal merit, and a vexatious one is one that is instituted maliciously and without good cause."

See also **GHANA BAR ASSOCIATION AND ANOTHER v. WARD-BREW** [1993- 94] 2 GLR 509

Rule 1—Application for Injunction

(2) A party to a cause or matter may apply for the grant of an injunction before, or after the trial of the cause or matter, whether or not a claim for the injunction was included in the party's writ, counterclaim or third-party notice.

2. The rule further proceeds on the manner in which a party can pray for the Court to grant an interlocutory injunction. Sub-rule 3 of the same Order 25(1) reads as follows:

“The Applicant shall attach to the Motion paper and supporting affidavit, a Statement of Case setting out fully arguments, including all relevant legal authorities, in support of the application”

3. Thus, this Statement of Case seeks to set out the facts and the legal arguments to persuade this honourable Court that a grant of an interlocutory injunction is most appropriate in the special circumstances of this case.

BRIEF FACTS

4. The relevant facts on which the Applicants' case in the present motion is based are particularly outlined in the Affidavit in support of the motion. Suffice to state however that: The Plaintiffs/Applicants are members in good standing of the Customs Staff Association (CSA)—the 1st Defendant. The 1st Defendant is a voluntary welfare association of officers under the Customs Division of the Ghana Revenue Authority (GRA), regulated by its 2023 Constitution. The 2nd and 3rd Defendants/Respondents are senior officials of the 1st Defendant, and until **September 19, 2025** were members of the National Executive Committee (NEC).
5. The Applicants' case is that the Respondents are organized the National Delegates Conference in breach of several mandatory provisions of the CSA Constitution.

LEGAL ARGUMENT

6. My Lord, ours is a jurisdiction replete with case laws on the scope and manner to exercise discretion in the grant of an Order of Interlocutory Injunction. Amidst the ocean of authorities, it is the guideline restated by His Lordship, Abodakpi J. in the unreported case of **WINFRED KUMAH APAWU v. SOLOMON TETTEY & ANOR** Suit No. LD/0998/2018 dated 29th April, 2019 that most fits

10. In the Supreme Court case of the case OF 18TH JULY V. YEHANS INTERNATIONAL LTD (2012) SCGLR 167, the principles governing the granting of application for injunction were stated in holding 2 of the report as follows:

- a) Consider whether the case of an Applicant was not frivolous and had demonstrated that he had legal or equitable right which a court should protect;*
- b) Ensure that the status quo was maintained so as to avoid any irreparable damage to the Applicant pending the hearing of the matter;*
- c) Consider the balance of convenience and should refuse the application if its grant would cause serious hardships to the other party.*

11. It is our respectful submission that the Applicants' application discloses a serious cause of action against the Respondents in the form of violations of the Constitution of the 1st Respondent, for which reason this honourable Court ought to grant the instant application. My Lord, the Applicants have also demonstrated their personal right in the instant case as members in good standing in ensuring compliance with the established laws and rules regulating the 1st Respondent. In view of the foregoing, there is the need to obviate, before the case is finally determined, any violation of the laws for which the 1st Respondent is required to comply.

12. This is a case where damages may not remedy the injury the Applicants seek to obviate. My Lord, the authorities have conclusively held that, where damages will not lie, the remedy of injunction should be employed. See **EKWAM v. PIANIM (NO. 1)** [1996-1997] SCGLR 117.

CONCLUDING PRAYER

13. Based on the above, it is our prayer that this is a proper case where this honourable Court ought to exercise its discretion to grant the reliefs indorsed on the motion paper.

Respectfully submitted.

PATAWUTUO CHAMBERS) IN ACCRA THIS 6th DAY OF DECEMBER 2024.



.....
ABDUL AZIZ GOMDA, ESQ.

Sol. Lic. eGAR02297/25

BP No.: 3000069373

TIN: P0004578317

Lawyer for the Plaintiffs/Applicants

TO:
THE REGISTRAR
HIGH COURT
GENERAL JURISDICTION.

AND FOR SERVICE ON THE ABOVE-NAMED RESPONDENTS