

CHIEF JUSTICE
SUPREME COURT OF LIBERIA



JUDICIAL BRANCH
TEMPLE OF JUSTICE
MONROVIA, LIBERIA

IN THE HONORABLE SUPREME COURT OF THE REPUBLIC OF LIBERIA
SITTING IN ITS OCTOBER TERM, A.D. 2022

BEFORE HER HONOR: SIE-A-NYENE G. YUOH.....CHIEF JUSTICE
BEFORE HER HONOR: JAMESSETTA H. WOLOKOLIE.....ASSOCIATE JUSTICE
BEFORE HIS HONOR: JOSEPH N. NAGBE..... ASSOCIATE JUSTICE
BEFORE HIS HONOR: YUSSIF D. KABA.....ASSOCIATE JUSTICE

The Dennis Family, Morris Family, Torgbeh Family, Sherman
Family Bryant Family, et al., of the City of Brewerville,
Montserrado County Republic of Liberia..... Appellants)

Versus)

) APPEAL

Othello Parker, of the City of Brewerville, and the Liberia Land
Authority, by and thru its Coordinator for Land Dispute Resolution,
Mr. Paul A. Tolbert, and all those acting under its authority, of the
City of Monrovia, Republic of Liberia..... Appellees)

GROWING OUT OF THE CASE:)

The Dennis Family, Morris Family, Torgbeh Family, Sherman
Family Bryant Family, et al., of the City of Brewerville,
Montserrado County Republic of Liberia..... Petitioners)

Versus)

) PETITION FOR
) THE WRIT OF
) PROHIBITION

Othello Parker, of the City of Brewerville, and the Liberia Land
Authority, by and thru its Coordinator for Land Dispute Resolution,
Mr. Paul A. Tolbert, and all those acting under its authority, of the
City of Monrovia, Republic of Liberia..... Respondents)

JUDGMENT

When this case was called for hearing, Counsellor Thompson N. Jargba of the Law Offices of Jargba & Jargba, Inc. appeared for the appellants. Counsellor Mamee S.W. Gongbah of the Liberty Law Firm appeared for the appellees.

Having carefully examined the facts contained in the records, listened to the arguments on both sides, and considered the evidence and the laws relevant thereto, it is hereby

The seal of the Republic of Liberia is centered on the page. It features a shield with a palm tree, a ship, and a sun. Above the shield is a banner that reads "THE LOVE OF LIBERTY BROUGHT US HERE". Below the shield is another banner that reads "REPUBLIC OF LIBERIA". The word "ADJUDGED:" is printed in bold, black, uppercase letters across the center of the seal.

ADJUDGED:

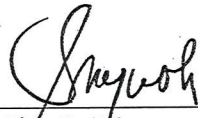
That it is the law that prohibition will be directed to an administrative agency, or officer who is exercising jurisdiction only if the agency or officer is attempting to exercise power or function not vested in the said agency or officer by law; and

That pursuant to the provisions of Liberia Land Authority Act (2016), Sections 7.1, 8.1 (a, c, f) an investigative survey as the one complained of by the petitioners is a composite of land governance, land administration and management, which are statutory functions of the Liberian Land Authority; hence, prohibition will not lie against the Liberian Land Authority from conducting an investigative survey

WHEREFORE AND IN VIEW OF THE FOREGOING, the Ruling of the Chambers Justice, denying the petition for the writ of prohibition is hereby affirmed. The alternative writ of prohibition is quashed and the peremptory writ denied. The Clerk of this Court is hereby ordered to send a mandate to the Liberia

Land Authority commanding that it resumes jurisdiction over this matter and give effect to this Judgment. Costs are ruled against the appellants. AND IT IS HEREBY SO ORDERED.

GIVEN UNDER OUR HANDS AND SEAL
OF THE SUPREME COURT OF LIBERIA,
THIS 25th DAY OF JANUARY A.D. 2023.



Sie-A-Nyene G. Yuoh
CHIEF JUSTICE, SUPREME COURT OF LIBERIA



Jamesetta H. Wolokolie
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA



Joseph N. Nagbe
ASSOCIATE JUSTICE, SUPREME COURT OF LIBERIA

NOTE: Mr. Justice Yussif D. Kaba having ruled on this case while presiding in Chambers, did not participate in the hearing and determination of this case. Hence, he did not sign this Judgment.