

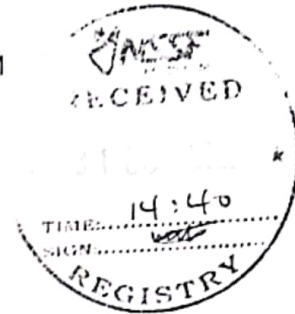
Our Ref: MR/0023/21/KB

31st October, 2022.

1. The Attorney General of Uganda,
Ministry of Justice and Constitutional Affairs,
Plot 1, Parliament Avenue, Queens Chambers,
P.O. Box 7183,
Kampala.


For your attention

Richard Byarugaba
31/10/2022 7:29:44 PM



2. The Executive Director,
Uganda National Roads Authority,
Plot 3 – 5 New Port Bell Road,
UAP Nakawa Business Park,
P.O. Box 28487,
Kampala.

RE: OWNERSHIP DISPUTE OF LAND COMPRISED IN FREEHOLD REGISTER VOL. NO. 2 FOLIO 23 (FORMERLY MAILO REGISTER VOL. 21 FOLIO 18) LAND NAKIGALALA.

We act for and on behalf of **Mr. Kalumba Benjamin Ssebuliba and Mr. Kayongo Robert**, the Administrators of the Estate of the **late Muwanga Omuweesi**, who are the true and the rightful owners of the above-mentioned land on whose instructions we address you as hereunder: -

Vide a letter dated **12th August 2022**, by the Permanent Secretary, Ministry of Lands, Housing and Urban Development, and media reports, we were informed that the Government of Uganda intends to acquire the above-mentioned land for purposes of establishing an Eco Satellite City. **See a copy of the letter and the newspaper reports hereto attached and marked "A" and "B" respectively.**

We also know as a fact that, part of the aforementioned land was acquired by the Government of Uganda to construct the Entebbe Expressway, specifically, the portion where the Kajjansi Interchange is located.

However, due to the dispute between the family of the late Muwanga Omuweesi and the Madhvani Group Ltd, monies meant for compensation in respect to the above-mentioned land were retained by UNRA pending the determination of a land dispute that is subject of the **High Court (Land Division) Civil Suit No. 33 of 2013, Kalumba Benjamin Sebuliba and Kayongo Robert (Administrators to the Estate of the late Muwanga Omuweesi) versus Kakira**

M.R CHAMBERS, Plot 61 Kira Road Kamwokya,
P.O.Box 73326 Kampala- Uganda
Tel: +256 200 900 823 / +256 760 802 487
Email: info@mradvocatesug.com



Mwesigwa Rukutana LLB (Hons) MUK.
Dip.LP.LDC.

Sugar Works (1985) Ltd, Commissioner Land Registration and Madhvani Group Ltd. This matter is still pending determination in Court.

Upon receiving information that the government intends to acquire the remaining parcel of the afore mentioned land, the Administrators of Muwanga Omuweesi filed in Court an application for temporary injunction seeking to restrain Madhvani Group Ltd from selling the land and/or receiving compensation from government, pending the determination of the aforementioned suit. ***The application for temporary injunction was granted and the copy of the order is hereto attached and marked "C".***

The family of the late Muwanga Omuweesi has for time immemorial been in possession of the above-mentioned land which they utilize for farming and occupy as their ancestral home. The late Muwanga Omuweesi was the registered proprietor of the land and held a mailo certificate of title. ***See a copy of the Mailo certificate of title hereto attached and marked "D".***

Upon his death, his descendants continued to occupy the above-mentioned land which also serves as the ancestral burial ground. Around the year 2012, during the Construction of the Entebbe Expressway, the family of the late Muwanga Omuweesi was shocked when Madhvani Group Ltd claimed that they had a Freehold Certificate of title to the same land. The family discovered that Madhvani's title was created upon cancellation of the late Muwanga Omuweesi's Malio Certificate of title, yet his family has been in possession of the land over 100 years.

After carrying out investigations, it was discovered that the Madhvani Group Ltd had fraudulently acquired the Freehold title and illegally super imposed a Freehold title on an already existing Malio certificate of Muwanga Omuweesi. Similar findings and recommendations were also made by the UNRA Commission of Inquiry. All these issues are being investigate by the Land Division of the High Court and is yet make its decision.

This is therefore to request you and other government parastatals that have expressed interest in acquiring this land, to take note of the pending Court matter and a temporary injunction in respect to the same land. Pursuant to the above-mentioned order, we request that no compensation should be paid to the Madhvani Group Ltd in respect to the above mentioned land.

We hope and pray that our request will be taken into consideration.

Yours faithfully.



M/S. MWESIGWA RUKUTANA & CO. ADVOCATES.

Copy to:

1. Minister of Lands, Housing and Urban Development.
2. Permanent Secretary, Ministry of Finance, Planning and Economic Development.
3. Permanent Secretary, Ministry of Lands, Housing and Urban Development.
4. Inspector General of Government.
5. Executive Director, National Social Security Fund.
6. Commissioner Land Registration.
7. Kampala Associates Advocates.
8. Arcadia Advocates.
9. Area Resident District Commissioner.
10. Madhvani Group Ltd.
11. Our clients.

THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA AT KAMPLA
(LAND DIVISION)
MISCELLANEOUS APPLICATION NO. 1441 OF 2022
(ARISING OUT OF HCCS NO. 33 OF 2013)

1. KALUMBA BENJAMIN SSEBULIBA
2. KAYONGO ROBERT APPLICANTS

VERSUS


1. KAKIRA SUGAR WORKS (1985) LTD
2. COMMISSIONER LAND REGISTRATION
3. MADHVANI GROUP LIMITED RESPONDENT

ORDER

THIS APPLICATION coming up for the final disposal this 13th day of **October, 2022**, before His Worship **Kintu Simon Zirintusa** in the presence of **Asimwe Crispus** Counsel for the Applicants, **Omollo Juma** and **Mercy Makabayi**, Counsel for the 1st and 3rd Respondents, and **Charlotte Tumusiime**, Company Secretary for the 3rd Respondent and in the absence of the 2nd Respondent, is hereby ordered that: -

1. A temporary injunction doth Issue restraining the Respondents, their employees, subordinates, agents, successors in title, assignees or any other person acting in their stead or claiming under them from selling, alienating, mortgaging, transferring or receiving compensation in respect of property comprised in Freehold Register Volume No.2 Folio 23 (formerly Mallo Register Vol. 21, Folio 18) land at Nakigalala pending the final determination of Civil Suit No. 33 of 2013 pending before this Honourable Court.
2. Costs shall be in the cause.

GIVEN under my hand and the seal of this Honourable Court this 19th day of Oct 2022.


REGISTRAR

Extracted by:

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