

Katureebe, neighbour clash over access road

Aggrieved. A retired banker claims his attempts to repossess part of his prime land turned into an access road to the Chief Justice's official residence have been futile.

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KAMPALA. A long-running land dispute pitting a neighbour against successive Chief Justices has worsened, sucking in Kampala Capital City Authority (KCCA) and flagging the city's planning problems.

At the core of the struggle, according to our investigations, is part of a retired banker's plot that for unexplained reason was opened up to provide access to the official residence of the Chief Justice.

The disputed land is on Nakasero Hill Road in Nakasero, a leafy city neighbourhood. It was originally delineated as a residential area, although land use there is fast shifting to commercial.

In the latest case, Mr Haruna Sebaggala, a retired banker, said he had in almost two decades failed to get justice in repeated attempts to repossess part of his prime land snapped up and turned into an access to the Chief Justice's official residence.

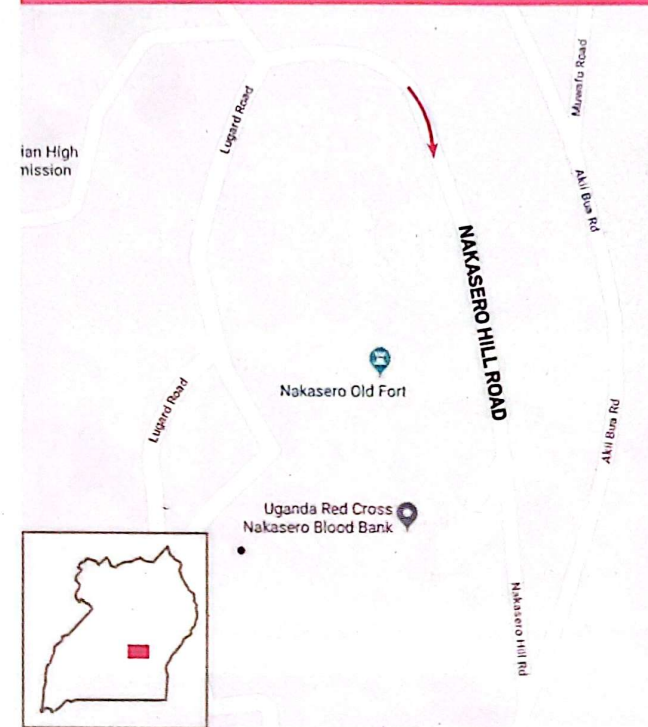
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Police guards for the top most judicial officer have placed their booth at the intersection of the illegal access lane and Nakasero Road, further infuriating Mr Sebaggala.

"Why do you maintain your security in someone else's private property? Even my sons were one day arrested for lighting a bonfire just because the fire caused smoke that spread over to the residence of the then Chief Justice [Benjamin] Odoki," he said, adding: "If they claim to be custodians of the law, why break it?"

The problem has persisted from when Samuel Wako Wambuzi was Chief Justice, and by some accounts even earlier, and through the time of his successor Odoki and

THE DISPUTED ACCESS ROAD



In an interview on Sunday, Chief Justice Bart Katureebe said he was an occupant, and not the owner, of the official residence assigned to him by the government and, as such, cannot be personally responsible for the dispute.

"I am only occupying a government house provided to me and it is an institutional house. I do not know when the house was built

constructed with an access road," Justice Katureebe said.

The Chief Justice accused KCCA of parceling out an access road as part of a plot.

Justice Katureebe said he was aware of the dispute from the time he served as the Justice minister and, upon being appointed the Chief Justice in 2015, he requested the government to acquire for him



"I am only occupying a government house provided to me and it is an institutional house. I do not know when the house was built, but it must have been designed and constructed with an access road," BART KATUREEBE, CHIEF JUSTICE

residence. Finance ministry, he said, informed him that there was no money.

"All I have done is to request KCCA to provide an alternative for the access road. It is the front gate access that has a problem and not the back one as reported. I understand that KCCA is in process of doing that," he said.

In standard town planning practice, each delineated plot must have a number and access alongside a consideration of compatibility of neighbouring land uses.

The current property row shows what went wrong with the planning process and approval of close-by developments.

For instance, the retired banker's

its occupants direct real-time observation of everything in the Chief Justice's premises.

This, Justice Katureebe said, poses a security threat. That may have been so until construction and completion of the 22-storey Pearl of Africa Hotel, west of the Chief Justice's official residence, which dwarfs all structures in the neighbourhood, including the nearby State Lodge Nakasero.

Mr Sebaggala said he planned to use the disputed lot as a car park for his tenants, claiming that he is incurring losses by remitting Shs6m monthly in ground rent and property rates to KCCA and Ugandan Land Commission, yet he is not using part of the plot.

Dr Richard Irumba, the manager of land and engineering surveying at KCCA, acknowledged that the access road to the Chief Justice's official residence was erroneously planned and opened through the neighbour's plot.

"It is a well-known fact. The people who built it went through [the] wrong property. But KCCA is addressing the abnormality by creating an alternative access road to the Chief Justice's residence," Mr Irumba said yesterday.

"The Chief Justice had called us expressing his grievances and the surveying has already been done and we are getting ready to construct an alternative access road for him," he added.

As the dispute escalated and tempers flared, Justice Katureebe improvised an access through the backyard, which he said is inconvenient for guests because anyone accessing the premises using that route has to enter the house through the kitchen.

In the meantime, a tarpaulin partition has been erected to block residents at the retired banker's premises from observing the goings-on at the Chief Justice's residence.

"It can only stop them from peeping into my residence, but it cannot prevent a bullet from passing through in case a wrong