

By Barbra Kabahumuza

A couple has dragged the Budadiri West Constituency MP Nandala Mafabi to court, alleging that he grabbed their land valued at sh1b.

Stephen Wobweni and Annet Naturinda sued Mafabi alongside the commissioner of land registration seeking a declaration that the registration of land comprised in FRV 391 Folio 21 known as plot 4 Nakalokole Road in Mbale measuring approximately 0.290 hectares in Mafabi's name, is null and void.

The couple also wants a declaration that Mafabi was wrongfully registered as the owner of the property.

It also seeks an order directing the commissioner of land registration and the registrar of titles to cancel the certificate of title for the plot of the said land.

Wobweni and Naturinda want court to issue a permanent injunction against the legislator, restraining him from alienating or evicting the duo from carrying out any further developments on the land.

They want general damages, exemplary damages, costs of the suit and any other order or relief which court may deem

Nandala Mafabi sued over sh1b land



Nandala Mafabi allegedly took possession of the land fraudulently after the plaintiff borrowed sh150m from him

fit.

It is alleged that since May 7, 2003, Wobweni was the registered proprietor of the said land and where they had their matrimonial home since May 7, 2003, until August 30, 2016 when Mafabi

fraudulently transferred the said land into his names.

The court documents indicate that in May 7, 2003, Wobweni, as the registered owner of the land, approached Mafabi to borrow sh150m using the said certificate of

title as security and the said certificate was handed over to his lawyers Mutembule & Company Advocates.

Couple's lamentation

According to court documents, after the transaction Wobweni

left the country in March 2015 to for South Africa and returned in June 2016.

He further asserts that during his stay in South Africa, he kept on communicating to Mafabi and his lawyer, Yusuf Mutembule.

It is alleged that Mafabi on August 30, 2016, transferred the said land without the knowledge and or consent of the second plaintiff (Naturinda) as his wife as is required by the provisions of the Land Act.

On July 18, 2016, Wobweni raised an objection to the commissioner of land registration about what she called a fraudulent transfer.

Wobweni contends that on the facts of the suit, the commissioner of land registration had no lawful authority to cancel his registration as proprietor.

He states that despite all the complaints, the commissioner land registration in the lands ministry has refused to transfer the said land back to him.

Court documents indicate that the loan agreement purportedly executed did not create a money lending agreement between the parties and cannot claim to be a moneylender as an ordinary money lending transaction should not have a security clause.

It further contends that since at that time Mafabi had no money lending licence and was carrying out business of money lending, any agreement or contract between him and the couple was illegal.

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