

IN THE HIGH COURT OF JUSTICE
IN THE BENIN JUDICIAL DIVISION
HOLDEN AT BENIN CITY
BEFORE HIS LORDSHIP, HON.JUSTICE P.A.AKHIHIERO,
ON THURSDAY THE
14TH DAY OF OCTOBER, 2021.

BETWEEN

SUIT NO. B/346/2021

1. FREDRICK A. IKPEA, ESQ
2. MRS. CYNTHIA C. IKPEA, ESQ } CLAIMANTS/APPLICANTS

AND

1. ISAAC OGBEWE
(Popularly known as SUPOL)
2. OMORODION OSASERE
3. OSARUMWENSE OGIERIAKHI
(Popularly known as YOUNGEST
LANDLORD)
4. MOMOH (other names unknown)
5. HENRY (other name unknown)
6. MR. AUSTIN (other names unknown)
7. PERSON UNKNOWN } DEFENDANTS/RESPONDENTS

RULING

This is a Ruling on a Motion on Notice, dated and filed on the 26th of April, 2021, brought pursuant to ORDER 40 RULES 1, 2 and 3 of the Edo State High Court (Civil Procedure) Rules, 2018, and under the inherent jurisdiction of this Honourable Court. The Motion is also supported by a 25 paragraphs of affidavit and seven (7) Exhibits, which are Exhibits A, A1, B, C, C1, D and E.

By this application, the Claimants/Applicants are praying this Honourable court for the following orders:

1. An order of interlocutory injunction restraining the Defendants/Respondents by themselves, their Agents, Servants, Privies, Assigns or whosoever from further trespassing, developing or continuing the erection of structures on the piece or parcel of land

measuring approximately 100 feet by 100 feet located at Obagie N'Evbosa Community, Ikpoba Okha Local Government Area of Edo State and more particularly described in Survey Plan No. GEO: 283:2020: ENG-EDO made on 06/02/2020 by Engr. Prof. Ehigiator-Irughe R. (M.Eng, Ph.D. Mnis) Registered Surveyor, pending the hearing and determination of the substantive Suit.

The motion is supported by an affidavit of 25 paragraphs and a Written Address of Counsel for the Claimants/Applicants.

At the hearing of the application, the learned counsel for the Claimants/Applicants *Michael Ekwemuka Esq.* relied on their affidavit in support of the motion and adopted the written address of one *Agwi O. Edison Esq.*

In the written address, the learned counsel for the Applicants formulated a sole issue for determination, to wit:

“Having regards to the Defendants’ unlawful and wrongful trespass unto the Claimants’ parcel of land measuring approximately 100 feet by 100 feet located at Obagie N’Evbosa Community, Ikpoba Okha Local Government Area of Edo State and more particularly described in Survey Plan No. GEO: 283:2020: ENG-EDO made on 06/02/2020 by Engr. Prof. Ehigiator-Irughe R. (M.Eng, Ph.D. Mnis) Registered Surveyor, destruction of the crops thereon and subsequent erecting of structures without the consent and/or authority of the Claimants/Applicants, should the Court grant this application for interlocutory injunction?”

Opening his arguments on the sole issue for determination, learned counsel submitted that the principles upon which an interlocutory injunction can be granted are as follows:

- a. The legal rights of the parties;***
- b. The serious issues to be determined;***
- c. The balance of convenience;***
- d. The conduct of the parties; and***
- e. The inadequacy of damages.***

He referred the Court to the case of ***KOTOYE VS C.B.N (1998) NWLR (PART 98) PAGE 419;*** and ***EFFIOM VS IRONBAR (2000) 3 NWLR (PART 650) PAGE 545 AT PAGE 501 PLUS G.H.R***

Thereafter, learned counsel argued these principles *seriatim*.

A. LEGAL RIGHT

He submitted that the Claimants/Applicants have a legal right over the property, measuring approximately 100 feet by 100 feet located at Obagie N'Evbosa Community, Ikpoba Okha Local Government Area of Edo State and

more particularly described in Survey Plan No. GEO: 283:2020: ENG-EDO made on 06/02/2020 by Engr. Prof. Ehigiator-Irughe R. (M.Eng, Ph.D. Mnis) Registered Surveyor. He referred to paragraphs 5, 6, 7 and 20 of the affidavit in support of motion and Exhibits A and B.

He further submitted that the Claimants/Applicants have shown a recognizable legal right over the said property which is worthy of protection by this Honourable Court. He referred to the case of **ADEWALE V. GOVERNOR, EKITI STATE (2002) 2 NWLR PART 1019 PG 634 AT P.652. Para E-F** where the Court of Appeal stated the law thus:

“The reason for the grant of an Order of Injunction is to enable matters to be kept in status quo pending when the court will determine the issues at stake in the substantive suit. Such an order will ensure that, if at the end of the day the court finds that the applicant is entitled to an Order of perpetual injunction, his right would not have been so invaded and trampled upon that damages would not adequately compensate him and there can be no return to the status quo”.

He also referred to the case of **LAFFERI NIGERIA LTD v NAL MERCHANTS BANK PLC (2002) 1 NWLR PT 748 PG 333 AT P 349 PARAS F-H** where the court held that the grant of an injunction is to protect the existing or recognizable rights of a person from unlawful invasion by another.

Counsel therefore submitted that the Claimants/Applicants, having shown by credible affidavit evidence that they have a legal right to protect their property, he urged the court to protect same by granting the injunction to protect the right of the Claimants/Applicants over the said property. He referred to the case of **MILITARY ADMINISTRATOR FEDERAL HOUSING AUTHORITY AND ANOR V C.O. ARO (2000) 1 NCLC PG 161 PG 174** the Supreme Court per **Wali JSC** stated the law thus:

“Where the Plaintiff is able to show that there is a sufficient probability that the acts which are complained of will take place to render it unjust and unreasonable that the court should refuse to intervene, he is entitled prima facie to the issue of interlocutory injunction pending the decision of the court in the dispute”

Learned counsel submitted that the legal rights of the Claimants/Applicants that are being threatened are the right of ownership, peaceable occupation and possession of the property, the subject matter of this suit. He posited that the Defendants/Respondents are taking steps to unlawfully

interfere with the rights of the Claimants/Applicants over the said property. That it is based on the conducts of the Defendants/Respondents that the Claimants/Applicants have filed a Writ of Summons claiming amongst others, declarations and injunction.

He further submitted that it is within the jurisdiction of this court even without a formal application of either of the parties, to preserve the subject matter on which litigation before it is founded. That it is within the inherent jurisdiction of the court as *dominis litis* to ensure, until the determination of the issue, that the subject matter of the suit remains intact. On this point he referred to the case of *INTERCITY BANK PLC V ALI (2002) 7 NWLR (Part 766) page 420 at paras. D-F.*

B. SERIOUS ISSUE TO BE TRIED

Learned counsel submitted that there are serious issues to be determined between the Claimants/Applicants and the Defendants/Respondents in this suit. That the Claimants/Applicants by their claim as endorsed in their writ of Summons are seeking amongst others, a declaration that the Claimants are the rightful owners and entitled to be granted statutory right of occupancy over all that piece or parcel of land measuring approximately 100 feet by 100 feet located at Obagie N'Evbosa Community, Ikpoba Okha Local Government Area of Edo State.

That the issue of whether the Claimants/Applicants are entitled to ownership/peaceable possession of the said property, having acquired same for valuable consideration, is also to be determined.

That whether the acts of the Defendants/Respondents in trying to unlawfully take over the Claimants/Applicants' property despite the glaring facts that the Applicants are the owners of the property is another issue to be tried in this suit.

Learned counsel submitted that it is not the law that the Applicants must make out a case at this stage that would entitle them to all the reliefs but it is sufficient if the Court finds a case which shows that there are substantial questions or issues to be tried. For this submission, he referred to the case of the *Registered Trustee of P.C.N V Registered Trustee of A.S.N (2000) 5 NWLR (PT. 657) PG. 368 PP. 378 PARA H.*

On this point, he concluded that the Claimants/Applicants having shown that their claim is not frivolous, he urged the Court to grant this application.

C. BALANCE OF CONVENIENCE

On the balance of convenience, counsel referred to the case of *BUHARI VS. OBASANJO (2004) NWLR PT 850 PG 587 PP 651-652 PARAS G – E* where the Supreme Court stated the law thus:

“The balance of convenience between the parties is a basic determinant factor in an application for interlocutory injunction. In the determination of this factor, the law requires some measurement of the scales of justice to see where the pendulum tilts. While the law does not require mathematical exactness, it is the intention of the law that the pendulum should really tilt in favour of the applicant”

He submitted that in this case, the pendulum completely tilts in favour of the Claimants/Applicants who will suffer irreparable damage if the Defendants/Respondents are not restrained but allowed to continue in their acts of unlawful interference with the right of ownership/possession of the Claimants/Applicants over the property pending the hearing and determination of the suit. He posited that refusal of this application for injunction will automatically aid the Defendants/Respondents to continue in their callous acts of frustrating the Claimants/Applicants with a view of unlawfully taking over the property of the Claimants/Applicants. He referred to the case of *INTERCITY BANK PLC VS ALI (2002) 7 NWLR part 766 page 420 at p446 pars A-C*.

D. DAMAGES CANNOT ADEQUATELY COMPENSATE THE CLAIMANTS/APPLICANT

Learned counsel submitted that damages cannot adequately compensate the Claimants/Applicants in respect of the loss that will be occasioned by the acts and conduct of the Defendants/Respondents in attempting to unlawfully deprive the Applicants from peaceable possession of the Claimants’ property without justification, if the Defendants/Respondents are not restrained. He relied the case of *OGUNSOLA VS USMAN (2002) 14 NWLR PART 788 PAGE 635 AT P659 PARA C*.

He therefore submitted that no matter how high the quantum of damage is, it will not act as a soothing balm in respect of the injury or hardship that might be caused to the Claimants/Applicants as against the Defendants/Respondents who will have nothing to lose or suffer.

E. UNDERTAKING TO PAY DAMAGES

Counsel submitted that the Claimants/Applicants deposed copiously in paragraph 22 of their affidavit in support of the motion that they are ready and willing to enter into an undertaking as to damages. He posited that the Claimants/Applicants have satisfied this condition for the grant of an injunction

and cited the case of *WEST AFRICAN OIL FIELD SERVICES VS PECFACO LTD (1994) 1 NWLR PART 319 PAGE 164 PP189 PANS B-C*.

F. CONDUCT OF THE CLAIMANTS/APPLICANTS

Counsel submitted that the conduct of the Claimants/Applicants is above board. That the Claimants/Applicants did not bargain for this unfriendly and malicious conduct of the Defendants/Respondents which is detrimental and frustrating to the Claimants/Applicants, hence they immediately filed this action. He submitted that the Claimants/Applicants are not guilty of delay and their conduct is free from objection on equitable grounds. That their conduct is not reprehensive and they have consistently been scrupulously law abiding despite all the wrong done to them by the Defendants.

In conclusion, he urged the Court to take a holistic and in-depth view of the facts, circumstances and most especially the unlawful conduct of the Defendants/Respondents and what the Claimants/Applicants will suffer if this application is refused, in exercising its discretion in favour of this application.

In his own written address, the learned counsel for the 1st, 3rd and 4th Defendants/Respondents, *E.U.Bazuaye Esq.* formulated a sole issue for determination as follows:

“Whether from the circumstances of this case, this a proper case in which this Honourable Court ought to exercise its discretion in granting interlocutory injunction.”

Arguing the issue, learned counsel submitted that this is not a proper case for the Court to exercise its discretion in favour of granting an interlocutory injunction to the Claimants/Applicants. He submitted that for this Honourable Court to exercise its discretion in favour of the Applicants, the Applicants must bring materials before it to enable the court exercise its discretion judiciously and judicially.

Learned counsel submitted further that for the court to exercise its discretion in favour of the Applicant in an Application of this nature, the Applicant must inter alia, establish the following factors:

1. Whether the Applicants has a legal right or interest to be protected by the court;
2. Whether there are serious issues to be tried in this case;
3. Whether the balance of convenience is in favour of the Applicant and more justice will therefore result in granting the Application than refusing it;

4. Whether damages can adequately compensate the Claimants/Applicants for the damage he will incur if he succeeds in the substantive case; and
5. The Applicant must show that he is not guilty of any delay and undertaking as to damages.

He cited the following cases in support: *Kotoye vs. CBN & Ors. (1989) 1 NWLR 419 at page 422 Para 4-5, CGC Nig Ltd vs Bala (2003) AFWLR (pt 242) 515 at 519 & 520 Ratio 7.*

Counsel submitted that the Claimants/Applicants have no legal rights over the land now in dispute to be protected by this Honourable Court against injury, the violation of which right they cannot be compensated in damages. He referred to paragraphs 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 of their counter affidavit to this motion. He also submitted that there is no threatened wrong to a right to be protected by this Honourable Court and he cited the case of *Obeja Memorial Hospital vs. A.G. Federation & Ors (1987) 7 SC (pt 1) 52 at 71 – 72 Lines 10 – 30 and 1 – 25.*

He submitted that there is no serious question to be tried in this case and contended that this application is frivolous and vexations since there are no serious questions or issues to be tried and he relied on the case of *Olahomi Industries Ltd vs. Adaba (2005) ALL FWLR (pt 251) 338 at 334, ratio 2.*

On the balance of convenience, learned counsel submitted that balance of convenience tilts in favour of the Respondents as more injustice will be occasioned in granting this application than in refusing it. He submitted that granting this application will prevent the Respondents access to their ancestral farm land and deprive them of their means of livelihood. According to him, the balance of convenience will be an issue for consideration only where there are *ex facie* competing rights as elicited from the affidavit evidence before the court. He referred the Court to *paragraphs 16, 17, 18, 19 and 20 of the Counter-affidavit* and submitted that the balance of convenience is in favour of the Respondent. He relied on the case of *CBN vs. Saidu Ahmed (2001) FWLR (pt 58) 670 at 697 Lines D – H.*

He submitted further that it is in the interest of justice to refuse this application as the Claimants/Respondents will not be prejudiced by refusing this application and he commended the following authorities to the Court in support of his submissions.

- i. *Fedina & Ors vs. Veepee Industries (2000) 5 WRN 131 at 132 – 133*
- ii. *Kotoye vs. CBN (1989) 1NWLR (pt 98) 419 at 422 ratio 5.*

Finally, he urged the Court to refuse the application.

At the hearing of the motion the learned counsel for both parties made some oral submissions in adumbration.

In his oral submissions, the learned counsel for the 1st, 3rd and 4th Defendants/Respondents, *E.U.Bazuaye Esq.* submitted that in land matters, the identity of the land must be known and easily ascertained to enable the court grant an injunction. He said that at this stage, it will be premature to grant an injunction when there is a dispute as to the identity of the land. He cited the case of *Oba James Adeleke & Ors. Vs. Nafiu Adewale Lawal & Ors. (2014) 3 NWLR (Pt.1399) 1 at 29.*

On the balance of convenience, learned counsel submitted that the land is a farm land where the Respondents are farming and he cited the case of *Adams Aliu Oshiohole & Anor. Vs. Comrade Mustapha Saliu (2021) 8 NWLR (Pt.1778) 380 at 420-422.*

Responding to the oral submissions, *Ekwemuka Esq.* submitted that there is not uncertainty about the identity of the land in dispute in this suit. On the land being a farm land, he submitted that there is no affidavit evidence to prove that fact.

I have carefully examined all the processes filed in this application together with the arguments of counsel on the matter.

An application for interlocutory injunction seeks a discretionary remedy. It is settled law that all judicial discretions must be exercised judicially and judiciously. The essence of an interlocutory injunction is the preservation of the status quo ante bellum. The order is meant to forestall irreparable injury to the applicant's legal or equitable right. See the following decisions on the point: *Madubuike vs. Madubuike (2001) 9NWLR (PT.719) 689 at 709; and Okomu Oil Palm Co. vs. Tajudeen (2016) 3NWLR (Pt.1499)284 at 296.*

The principal factors to consider in an application for interlocutory injunction are as follows:

- I. The applicant must establish the existence of a legal right;
- II. That there is a serious question or substantial issue to be tried;
- III. That the balance of convenience is in favour of the applicant;
- IV. That damages cannot be adequate compensation for the injury he wants to prevent;
- V. That there was no delay on the part of the applicant in bringing the application; and
- VI. The applicant must give an undertaking to pay damages in the event of a wrongful exercise of the Court's discretion in granting the injunction.

See also, the following decisions on the point: *Kotoye v C.B.N. (1989) 1 NWLR (Pt.98) 419*; *Buhari v Obasanjo (2003) 17 NWLR (Pt.850) 587*; and *Adeleke v Lawal (2014) 3 NWLR (Pt.1393) 1at 5*.

Therefore, the issue for determination in this application is whether the Applicants have satisfied the above enumerated conditions to warrant the exercise of the discretion of this Court in their favour.

The most important pre-condition is for the applicants to establish that they have a legal right which is threatened and ought to be protected. See: *Ojukwu vs Governor of Lagos State (1986) 3 NWLR (Pt.26) 39*; *Akapo vs Hakeem Habeeb (1992) 6 NWLR (Pt.247) 266-289*.

From the available evidence, I think the Applicants have identified the legal rights which they seek to protect in this suit. In *paragraphs 5 to 7* of their supporting affidavit, they stated as follows:

“5. That the Claimants/Applicants are the owners and in possession of the piece or parcel of land located at Obagie N’Evbosa Community, Ikpoba Okha Local Government Area of Edo State and measuring approximately 100 feet by 100 feet;

6. That the Claimants/Applicants acquired the said piece or parcel of land measuring approximately 100 feet by 100 feet lying, situate and being at Obagie N’Evbosa Community, Ikpoba Okha Local Government Area of Edo State for valuable consideration from one Anigboro Odeh Clement sometime in 2018. COPIES OF THE DEED OF TRANSFER BETWEEN ANIGBORO ODEH CLEMENT AND THE CLAIMANTS AND PHOTOCOPY OF THE DEED OF TRANSFER BETWEEN ANIGBORO ODEH CLEMENT AND HIS PREDECESSOR-IN-TITLE ARE HERETO ATTACHED AND MARKED AS EXHIBITS A & A1;

7. That immediately after the purchase of the said piece or parcel of land, the Claimants took active possession of same and contracted a Registered Surveyor who surveyed the parcel of land. That the Claimants have been using the said land for farming purposes and had been in peaceful and undisturbed possession without any adverse claim from the Defendants or anybody for over three (3) years. A COPY OF THE SURVEY PLAN NO. GEO: 283:2020: ENG-EDO MADE ON 06/02/2020 BY ENGR. PROF. EHIGIATOR-IRUGHE R. (M.ENG, PH.D. MNIS) REGISTERED SURVEYOR IS HERETO ATTACHED AND MARKED AS EXHIBIT B.”

On the submission of the learned counsel for the Respondent on the identity of the land, I am of the view that as pertaining to this application, the identity of the land is clearly described as the ***“parcel of land measuring approximately 100 feet by 100 feet located at Obagie N’Evbosa Community, Ikpoba Okha Local Government Area of Edo State and more particularly described in Survey Plan No. GEO: 283:2020: ENG-EDO made on 06/02/2020 by Engr. Prof. Ehigiator-Irughe R. (M.Eng, Ph.D. Mnis) Registered Surveyor, pending the hearing and***

determination of the substantive Suit.” The Survey Plan has adequately identified the land in dispute. That will suffice at this stage.

I am of the view that at this stage, the Applicants have adduced sufficient evidence to establish the fact that they have a legal right to protect in relation to the ownership of the land in dispute in this suit.

On the second condition of having a serious question or substantial issue to be tried, I am guided by the dictum of the Court in the case of: **Onyesoh vs Nze Christopher Nnebedun & Others (1992) 1 NWLR (Pt.270) 461 at 462**, where it was re-emphasized that:

“It is not the law that the applicant must show a prospect of obtaining a permanent injunction at the end of the trial. It is sufficient for the applicant to show that there is a serious question between the parties to be tried at the hearing.”

Also, in the case of: **Ladunni vs. Kukoyi (1972) 1 All NLR(Pt.1) 133**, the Court opined that: **“...when a Court considers an application for interlocutory injunction, it is entitled to look at the whole case before it, all the circumstances which may include affidavit evidence, judgments or pleadings if these have been filed. All these show what is in the dispute between the parties”**.

In paragraph 8 of the affidavit in support of this application, the deponent stated as follows:

“8. That surprisingly, on one of the Claimants’ routine visits to their various landed properties, the Claimants discovered that the Defendants had wrongfully, unlawfully and maliciously trespassed unto their landed property located at Obagie N’evbosa Community, wherein all their economic crops were destroyed and thereafter set same ablaze so that the destruction of the crops will not be visible to the public sight. PICTURE PHOTOGRAPHS SHOWING THE FARMLAND AND CROPS BEFORE SAME WERE MALICIOUSLY DESTROYED AND THE PHOTOGRAPHS OF THE FARMLAND AFTER THE CROPS WERE DESTROYED ARE HERETO ATTACHED AND MARKED AS EXHIBITS C & C1.”

From the foregoing facts, I am of the view that there are substantial issues to be tried in the substantive suit.

On the balance of convenience, the applicants must show that the balance of convenience is on their side. In the classical case of: **Kotoye v C.B.N. (1989) 1 NWLR (Pt.98) 419**, the Supreme Court explained that the applicant must establish that more justice will result in granting the application than in refusing it.

Presently, the Applicants allege that they are farming on the land, but curiously, the Respondents also claim to be farming on the land. Since both parties are asserting that they are farming on the land, I am of the view that it will be premature at this stage for the Court to determine the party that is actually farming on the land presently. That issue can only be determined at the substantive hearing. However, at this stage the Applicants are apprehensive that

unless this application is granted, the Defendants will completely and totally alter the character of the land in dispute thereby rendering it unfit for the purpose(s) for which they acquired same and that this will occasion grave injustice to them.

On the part of the Respondents, from paragraph 16 of their counter-affidavit, they stated that ***“a restraining order against the 1st, 3rd and 4th defendants/respondents will adversely affect the farming rights of a Community of over two (2) hundred persons who are not parties to this suit but indigenes of Ogieriakhi camp in Obagie N’Eybosa which is their ancestral and communal farmlands whose means of livelihood is totally dependent on farming the land of which the land now in dispute forms a part.”***

From the Respondent’s deposition, it appears that they are fighting to protect the farming rights of ***over two (2) hundred persons who are not parties to this suit***. I observed that the land in dispute is a mere 100 feet by 100 feet, I don’t know how the rights of over 200 persons who are not parties to this suit can override that of the Applicants who are parties to the suit. Clearly, the balance of convenience tilts in favour of the Applicants who have come to court to protect their rights.

Next is on the requirement of inadequacy of damages. In the case of: *American Cyanamid Co. vs Ethicon Ltd. (1975) (1975) 1 ALL E.R. at 504 pp. 510*, the English court stated the position thus:

“If damages ...would be an adequate remedy and the defendant would be in a financial position to pay them, no interlocutory injunction should normally be granted, however strong the plaintiff’s claim appeared to be at that stage”

In paragraph 17 of the supporting affidavit the Applicants deposed to the fact that damages will not adequately compensate them if they succeed at the end of the day.

In the light of the circumstances of this case, I do not think damages can adequately compensate the Applicants if the Respondents are allowed to continue their alleged activities on the land.

On the condition of whether the Applicant was prompt in bringing the application, I do not think there was any delay on the part of the Applicants in filing this application.

Finally, on the requirement of an undertaking to pay damages in the event of a wrongful exercise of the Court’s discretion in granting the injunction, I observed that in paragraph 19 of the supporting affidavit, the Claimants/Applicants gave an undertaking to pay damages if it turns out that this Court ought not to grant this Application.

On the whole, I am satisfied that the Applicants have fulfilled the requirements to enable this court exercise its discretion to grant this application.

Consequently, this application succeeds and *I hereby make an order of interlocutory injunction restraining the Defendants/Respondents by themselves, their Agents, Servants, Privies, Assigns or whosoever from further trespassing, developing or continuing the erection of structures on the piece or parcel of land measuring approximately 100 feet by 100 feet located at Obagie N'Evbosa Community, Ikpoba Okha Local Government Area of Edo State and more particularly described in Survey Plan No. GEO: 283:2020: ENG-EDO made on 06/02/2020 by Engr. Prof. Ehigiator-Irughe R. (M.Eng, Ph.D. Mnis) Registered Surveyor, pending the hearing and determination of the substantive Suit.*

I award the sum of N50, 000.00 (fifty thousand naira) as costs in favour of the Claimants/Applicants.

P.A.AKHIHIRO
JUDGE
14/10/2021

COUNSEL:

AGWI O EDISON ESQ.....CLAIMANTS/APPLICANTS

U.E.BAZUAYE ESQ...1ST, 3RD & 4TH DEFENDANTS/RESPONDENTS