Civil

Injunction/Trespass/Dispossession

**CHRISTOPHER GIDLA**

**Attorney At Law**

**GIC2006148**

**18-20 Pembroke Street**

**Port of Spain**

**THE REPUBLIC OF TRINIDAD AND TOBAGO**

**IN THE HIGH COURT OF JUSTICE**

Claim # of 2012

**MARTINO GROSS**

**Claimants**

**AND**

**SHERON SUKHDEO Defendant**

**- - - -** ooo**000**ooo **- - - -**

**NOTICE OF APPLICATION**

The Claimant MARTINO GROSS, of Lp #52 La Baja Road, Maracus, St.Joseph in the Island of Trinidad applies to the court for :

1. Injunction restraining the Defendant whether by himself, his servants and or agent or howsoever from entering, remaining and or demolishing the disputed property and or constructing on the disputed property.
2. An injunction restraining the Defendant whether by himself, his servants and or agents or howsoever from molesting, harassing, abusing and or intimidating the Claimant, his servants and or agents from peaceful and quiet enjoyment of the disputed property.
3. Such further and /or other relief as to the Court may seem appropriate and
4. Costs.

A draft of the order that I seek is attached.

The grounds of the application is:

1. The Defendant Eventhough is not a licenced lender lent a sum of one hundred and fifty thousand dollars ($150,000) in the July, 2011 on the agreement that the sum shall be paid within six (6) months of the date the money was lent.
2. In default the money is not repaid within that time the Defendant shall possess the property situated at La Baja, Maracus, St. Joseph, in the Ward of Tacarigua in the Island of Trinidad, comprising a ONE LOT, and bounded on the North by Maracus River, on the South by La Baja Road, on the East by lands of Marsden and on the West by lands of Andre Llanos with the building thereon and the appurtenances thereto belonging ( herein after called “the disputed Property”)
3. The Claimant has failed to repay the money on 25th of January, 2012, but approached the Defendant on 29th of January, 2012 with full sum of repayment and the Defendant refused to accept the sum.
4. Eventhough the legal date of redemption has passed the equitable date for redemption did not pass.
5. Without prior warning the Defendant has sent his agents to the disputed premises and started to remove things.
6. Unless the Court makes a order restraining the Defendant he shall make an next attempt to dispossess the Claimant

I hereby certify that the facts stated above are true to the best of my knowledge, information and belief.

An affidavit in support accompanies this application

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ [Attorney for the Claimant]

Christopher Gidla

18-20 Pembroke Street

Port of Spain

Dated the day ,2012

**NOTICE:**

This application will be heard by the Honourable Judge in Chambers on the day of 2012 at am/pm at High Court of Justice, Knox Street, Port of Spain in Court Room no.

**If you do not attend this hearing an order may be made in your absence.**

**OR**

The Judge in Chambers will deal with this application by –

NB: **This notice of application must be served as quickly as possible on the Defendants to the application.**

**The Court Office** is at the Hall of Justice, Knox Street, Trinidad and Tobago, telephone number 690-2156, Fax 690-2674. The office is open between 8:00 a.m. and 4:00 p.m. Mondays to Fridays except Public Holidays and Court Holidays.

**TO: Registrar**

**High Court of Justice**

**Port of Spain**

**To:**

**Mr. Dexter Bailey**

**Attorney at Law for the Defendant**

**Dexter Bailey &Associates**

**#38 Sutton Street**

**San Fernando**