**FORM 1: CLAIM FORM**

*(Part 8, Rule 8.1(3)*

*Civil*

*Injunctioin/Trespass/Dispossession*

**CHRISTOPHER GIDLA**

**Attorney At Law**

**GIC2006148**

**123 Duke Street**

**Port of Spain**

**THE REPUBLIC OF TRINIDAD AND TOBAGO**

**IN THE HIGH COURT OF JUSTICE**

Claim #

**ROY RAMIREZ Claimant**

**AND**

**DAVID JAMES**

**Defendant**

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

**Affidavit**

I Roy Ramirez of # 5, Mercline Drive, Enterprise, Chaguanas in the Island of Trinidad, make oath and say as follows:-

1. I am the Claimant and I am aged 58 years.
2. That for the past forty seven years I have been in continuous and undisturbed possession of parcel of land situated at # 5 Mercline Drive, Enterprise Chaguanas together with the dwelling house standing thereon
3. On or about the year 1961 or 1962 my mother Ieta Forde tenanted the parcel of land aforementioned on which she, together with her then common law husband Selwyn Forde, constructed a two (2) bedroom dwelling house. I, my mother and her Common law husband Selwyn Forde moved in shortly after
4. In or about the year 1974 my mother Ieta Forde migrated to America leaving her then common law husband Selwyn Forde and me in occupation of the house.
5. In or about the year 1974 Selwyn Forde married my mother.
6. After the marriage, in the year 1974 Selwyn Forde also migrated to America leaving me in the house as a sole occupant.
7. At all material times my mother with the knowledge and acquiescence of her husband Selwyn Forde has always informed me that the property was for me. I carried out extensive renovation and repairs to the dwelling house and have maintained the property at my own expense. Hence Selwyn Forde is stopped from claiming title or interest in the property.
8. That by HCA 1247 of 2002, Selwyn Forde initiated legal proceedings against me for possession of the property. The matter was never completed and Selwyn Forde since died.
9. On or about 8th August, 2008, at around 6:00 am, defendant his servants and/or agents came to my property at # 5 Mercline Drive, Enterprise, Chaguanas and told me that they were there to demolish my house.
10. At that point of time I left the place in pursuit of a lawyer.
11. I was told by my wife and verily believe that she was informed that one of the person is a bailiff and four of the other persons are off duty police officers.
12. I was told by my wife and I verily believe that she informed them that the matter of the property was in court and she had documents to show that.
13. I was informed by my wife and I verily believe that she was told that if she pay $ 50,000 they would go away other wise they would demolish my house which she refused.
14. I was told by my wife and I verily believe that the defendant, his servants and/or agents started to demolish my concrete house. In the process of this they grabbed my daughter Althea Ramirez’s arm as she is taking pictures of the said event.
15. They demolished most of my house leaving a small shed in which I have to shelter myself with my wife and my children.
16. In these circumstances I am asking this Honourable Court for an injunction restricting the Defendant from further demolishing my home as I will suffer great lose and inconvenience. I am in constant fear of the demolition which the defendant clearly intends to undertake unless restrained by this Honourable Court.

SWORN to at 123 Duke Street ]

Port of Spain, this 15th day of ]

August, 2008 ]

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Before me,

Commissoner of Affidavits.