**CHRISTOPHER GIDLA**

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IN THE REPUBLIC OF TRINIDAD AND TOBAGO

IN THE HIGH COURT OF JUSTICE

CV. 2008

BETWEEN

ROY RAMIREZ

Claimant

And

DAVID JAMES

Defendant

**NOTICE OF APPLICATION**

The Claimant **Roy Ramirez of** # 5 Mercline Drive, Enterprise, Chaguanas applies to the court for an order that

1. Damages for Trespass
2. An Injunction restraining the Defendant, their Servants and /or agents from demolishing the Claimant’s dwelling house situate at # 5 Mercline Drive Enterprise, Chaguanas and from interfering with the Claimant’s right of possession and/or occupation of the said premises.
3. A declaration that the Title of the Defendant has been extinguished.
4. A declaration that the Claimant’s have acquired possessory title to the parcel of land known as # 5 Mercline Drive, Enterprise, Chaguanas due to their undisturbed possession and are entitled to exclusive possession of same.
5. That the cost of this application be Cost in the cause.

A Draft order is attached

**The grounds of the application are**

1. The Claimant have had exclusive and undisturbed possession of the subject lands since 1961.
2. The Defendant have recently acquired the land but their purchase is subject to the Claimnats interest.
3. The Defendant demolished part of the Claimant’s house and further intends to demolish the Claimant’s dwelling house unless they are restrained from doing so.
4. In the circumstances the Claimants prays that the court will restrain the Defendant until the matter is heard and determined.

Dated the day of 2008.

**CHRISTOPHER GIDLA**

Attorner At Law for the Claimant.

Dated the day of 2008

NOTICE:

This application will be heard by His Lordship the Honourable Mr. Justice , in Chambers on the day of 2008 at the Hall of Justice, Knox street, Port of Spain.

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

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

**The Court Office** is at the Hall of Justice, Knox street, Port of Spain, Trinidad, telephone number 690-2156, Fax 690-2674. The office is open between 8:00 am and 4:00 pm Mondays to Fridays except Public Holidays and Court Holidays.

Dated the day of , 2008

CHRISTOPHER GIDLA

Attorney At Law for the Claimant.

The Applicant’s address for service is Quamina Gidla and associates of #123 Duke Street, Port of Spain, whose address for service is C/o Wilson and Company , # 37 Abercromby Street, Port of Spain.