Civil

Injunction/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**

**TOBAGO**

Claim # of 2009

**BETWEEN**

**HAFIZA MOHAMMED**

**Claimant**

**AND**

**CARLOS DEWAYNE MOORE Defendant**

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**NOTICE OF APPLICATION**

The Claimant Hafiza Mohammed of C/o Harrison James**,**4b riseland road, Carnbee in the Island of Tobago in the Republic of Trinidad and Tobago applies to the court for an order of

1. An Injunction restraining the Defendant, whether by himself, his servants and or agents from entering, remaining, constructing on the premises and or demolishing the dwelling house on the premises at Carnbee, Riseland Road, Tobago.
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 peaceful and quiet enjoyment of the said premises.
3. An injunction restraining the Defendant whether by himself, his servants and or agents or howsoever from restricting the Claimants from entering into the premises and into the house on the premises.
4. An injunction ordering the Defendant in removing the load of dirt placed front of the entrance and any other obstruction they place in the entrance.
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 said premises are owned by the deceased Irving Stanley Reid.
2. The Claimant is the common law wife of the deceased and has been living in the property since 1988 in common law relationship with the deceased and has done extensive repairs to the house.
3. The house was promised to the claimant by the deceased.
4. The Defendant on about August 2008 trespassed upon the disputed premises and has demolished part of the Claimant’s house ordering the Claimant to move out and further intends to demolish the Claimant’s dwelling house unless they are restrained from doing so.
5. In the circumstances the Claimants prays that the court will restrain the Defendant until the matter is heard and determined.

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

An affidavit in support accompanies the application

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

Christopher Gidla

123 Duke Street

Port of Spain

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.**

**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 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 c/o Harrison James, 4b Riseland Road, Carnbee ,Tobago

To: The Registrar

High Court of Justice

Port of Spain