**FORM 10: Application (Part 11)**

*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**

Claim #

**CAROL CHANCE Claimant**

**AND**

**HINGLEY VANAMILLA 1st Defendant**

**DARRYL VANAMILLA 2nd Defendant**

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**NOTICE OF APPLICATION**

**The Claimant CAROL CHANCE of Paria Main Road, in the Island of Trinidad applies to the court for an order for**

1. Damages for trespass to All and Singular that parcel of land situate at Paria Main Road,Grande Rivere,(hereinafter called “the disputed lands”)
2. An injunction restraining the Defendant whether by himself, his servants and or agents or howsoever from entering, remaining, constructing and or demolishing the house on the disputed lands.
3. 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 disputed lands.
4. A declaration that the Claimant is in possession of and has acquired by virtue of Statutory Tenancy pursuant to the Land Tenants Security Act, 1981 as amended.
5. A further declaration that the Defendant, his servants and or agents are not entitled to enter and or remain and or construct and or carry out any work on the disputed lands.
6. That the cost of this application be Cost in the cause.

A Draft order is attached that I seek is attached

The grounds of the application are

1. By virtue of Will made on 30th September, 1976, Henry Adolphus Chance of Grand Rivever, Toco, in the Island of Trinidad,deceased grandfather of the applicant bequeathed one building used as a parlour standing on the rented lands of Dorothy Hosang to the Claimant for her use absolutely together with the tenancy rights
2. Henry Adolphus chance the deceased has been renting the property for more than thirty years and hence the premises is subject to statutory tenancy pursuant to the Land Tenants Security Act 1981 as amended and through him the Claimant also became the statutory tenant.
3. In the circumstances the Claimants pray that this court will restrain the Defendant’s from further building any constructions on the said premises and destroy the constructions that were built until the matter is heard and determined.

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

An affidavit in support accompanies the application

Signed:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [Attorney 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 2009 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.

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.

To: The Registrar

High Court of Justice

Port of Spain