## IN THE REPUBLIC OF TRINIDAD AND TOBAGO

#### CHRISTOPHER ROSS GIDLA

#### ATTORNEY AT LAW

#### GIC2006148

#### #123 Duke STREET

#### PORT OF SPAIN

### IN THE HIGH COURT OF JUSTICE

Claim

**MARILYN JAMES DEDIER**

**Claimant**

**AND**

**JAMES DEGANNES**

**Defendants**

**\* \* \* \* \***

**Affidavit in support**

I **MARILYN JAMES DEDIER of 1st Avenue, Pinto Road, Arima in the Island of Trinidad** make oath and say as follows:-

1. I am the Claimant herein.
2. The Land that is the subject matter of this application is that certain piece or parcel of land situate at Wallerfield, in the Ward of Arima in the Island of Trinidad comprising SEVENTEEN ACRES , ONE ROOD AND TWENTY FOUR PERCHES together with a building bounded on the North Partly by Colonel Road, 60 feet wide and partly by a Road Reserve 90 feet wide on the South by lot No. 21 on the East by a Road Reserve 90 feet wide and on the West by Colonel Road 60 feet wide which was leased to me by the State for a term of twenty five years from the 26th day of May, 1991.Hereinafter called a the said Premises. A copy of the deed is hereto annexed and marked “A”.
3. The said premises is covenanted to be used as a Farm for the purposes of Farming.
4. I am in the process of applying for loan in the Agricultural development Bank to do short crops on the land.
5. On or about 2000 a neighbor “Miss Nicey” of mine has informed me and I verily believe the defendant was seen occupying the premises.
6. Immediately we approached him and asked him to vacate the premises immediately. He told us that he would only do that if we pay him the money he spent on the premises. We told him that we couldn’t do that since we did not give him permission to do anything on the premises.
7. On or about 22nd September, 2000 My attorney at law at that time Miss Leandra Ramcharan wrote a letter to the defendant to vacate the premises.
8. We approached the Ministry of land and Survey and they informed to get the letters of Administration processed.
9. On or about 2005 we had the letters of administration granted to us and the President made agreement that the lease shall be given to us for twenty years . This is the agreement that has been annexed in paragraph
10. We approached the ministry in this regard met with Miss Marika.
11. She informed us that they will handle the matter and have sent field investigators to investigate the matter.
12. the Ministry has given a eviction to the defendant after the investigation.
13. The defendant’s lawyer at that time Mr.Doodnath wrote to Ms.Marika that the defendant got cabinet approval
14. Miss Marika then informed us that her records show no record of such approval.
15. She also showed us a letter which was not signed stating the I gave the defendant the permission occupy the land.
16. On or about 2nd of December, 2010, My Attorney at Law Mr.Christopher Gidla once again wrote a preaction protocol letter asking him to vacate the premises.
17. Till now we haven’t received any reply.
18. Inspite of several requests from the claimant the Defendant refused to vacate the premises.
19. In the circumstances the Claimant is asking the Honourable Court to give him possession of the premises, which he is entitled to by law.

**I HEREBY** certify that all the facts set out in the Claimant’s Statement of Case are true to the best of my knowledge, information and belief and the Claimant is entitled to the relief claimed.

Sworn to at

Port of Spain this day

of 2010.

Before me,

Commissioner of Affidavits