

**IN THE HIGH COURT OF NIUE  
(LAND DIVISION)**

**Application No: 2025-00196**

**IN THE MATTER** of the land known as  
Matapa/Talava, Hikutavake  
District

**BETWEEN** IAN HIPA, DES HIPA AND  
STANLEY TAFATU  
**Applicants**

**AND** RICHIE TUHIPA AND TUHIPA  
FAMILY  
**Respondents**

**Date:** 1 October 2025 (NZT)

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**DECISION OF IKI FAKAFILI LAHI HA NIUE  
CHIEF JUSTICE NIUE C T COXHEAD**

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- [1] On 18 September 2025, the applicants filed an application for injunction to prevent the respondents from scattering any ashes.
- [2] On 21 September I issued the following directions:
1. Please ensure that the application has been served on Mr Richard Tuhipa.
  2. The application in the current form lacks details. It is unclear:
    - a. if this is an urgent matter with the scattering of ashes to take place very soon (this week) or at another time.
    - b. Where this is going to take place – which land block?
    - c. Who the leveki magafaoa of the land is.
  3. The applicant is to provide further details concerning their injunction application by Wednesday 24 September.
  4. Once those details are provided then the Respondents (Mr Richard Tuhipa and the Tuhipa family) are to respond by Wednesday 1 October.

5. I will then look to either set the matter down for hearing or if possible, provide a decision on the papers.
- [3] On 23 September the applicant filed a more detailed application along with an affidavit and supporting evidence.
- [4] Also, on 23 September the respondents, the children of Tutagaloa Tuhipa, filed a letter to confirm that they will be burying their mother, at the family homestead by her father Tuhipa Niutama. They do not intend to scatter her remains.
- [5] On 24 September I directed that the response of the Tuhipa family was to be sent to the applicants and the Court was to ask the applicant if they still wished to proceed with the application or can it be withdrawn.
- [6] The applicant has advised that they wish to keep matters on the record but seek to withdraw the application for an injunction.
- [7] Therefore, the file still remains as part of the Court record and the application for injunction is withdrawn and therefore dismissed.

A copy of this minute is to be sent to all interested parties.

Dated at Rotorua, Aotearoa/New Zealand this 1st day of October 2025.



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C T Coxhead  
**IKI FAKAFILI LAHI HA NIUE**  
**CHIEF JUSTICE OF THE NIUE HIGH COURT**  
**MINUTE BOOK 21 FOLIO 177**