

IN THE MALEKULA ISLAND COURT

OF THE REPUBLIC OF VANUATU

Civil Case 12 of 2014

BETWEEN: JACOB TOAME Representing *Family Toame*

Tautu vilij, Central Malekula

Claimant

AND: LESLY ULAS

AND: SAKSAK WORWOR

KALOGIS TOAME

PRV Eria

Central Malekula

Defendant

CORAM: JUSTICE DOUGLAS FADAL

JUSTICE SHEMA TASVALLIE

JUSTICE JOHNSEN FRAZER

CLERK: COLLYNE TETE

DATE OF HEARING: 03 OCTOBER 2014

COURT VENUE: LAKATORO

JUDGMENT

CLAIMANT- Appears before the court

DEFENDANT – Lesly Ulas and Kalogis Toame were present before the court and Saksak Worwor absent.

The clerk presents the civil case and summarises through the claimants' application made before the court by the claimant claiming against the defendants namely Lesly Ulas who is



President of Praise and worship church Sasak Worwor and Kalogis Toame who are Pastors of the said religion situated on Tautu village. He claims for these church members to sign an agreement with him to recognise him as Land owner of the piece of Land namely Potnator in which the new church building has been built on.

The defendants Lesly Ulas stated in court that he was aware of the situation in which the claimant approached him in regards of the signing of agreement between the church and him but due to the fact that he was not aware of the Land issue in which was pending before the Supreme Court. The claimant claims the land was his and another church member namely family Malres Saulu also claim the piece of Land belongs to them.

The second defendant Kalogis Toame whom is the second eldest born brother to the claimant mentioned was not aware of the agreement which his brother was talking about and fully knows that the part of Land in which the church building was built on does not belong to him and his brother the claimant and full understands that the Land is still pending within the Supreme Court.

The witness to the defendants Paul Toame mentioned in court that he also was not aware of the agreement that his brother the claimant was talking about due to the Land was not theirs but for the other party. He also stated that there are also two other religion on the same part of the Land SDA and AOG in which the claimant did not make an attempt to seek for an agreement with them.

Upon hearing the application the court hereby made the following:

FINDINGS

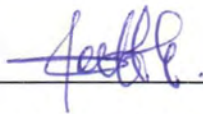
The claimant and his brothers have an issue between each other in which the brothers were not aware of the agreement in which the claimant is seeking for. Also the Land in which the church building was built on was also appealed before the Supreme Court.

COURT ORDER

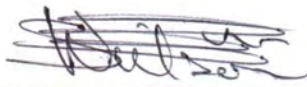
1. The clerk will find out if the Land in which the claimant is claiming which the church building was built on in which was once part of the PRV land dispute if a decision was made separately on different boundaries or if it is still pending for decision to be made.
2. The matter to be adjourned to next date of hearing issued by the Island Court Clerk.
3. If both parties are not happy with the Island court decision has within 30 days the right to appeal to the Magistrate Court which in accordance to the Island Courts ACT CAP 167 section 22.

DATED THE 03 OCTOBER 2014





Justice Douglas Fadal



Justice Shema Tasvallie



Justice Johnsen Frazer

