

**IN THE TANNA ISLAND COURT**  
**OF THE REPUBLIC OF VANUATU**  
**Sitting at Isangel**

Civil Case No.14 of 2014

Before: Justice Jocelyne Usua  
Justice George Nipiko  
Justice William Lomai

Clerk: Blandine Tepi

BETWEEN: Sam Naiu Iopil  
Plaintiff

AND: Numake Tuan  
Defendant

**JUDGMENT**

**IN THE MATTER OF CUSTOMARY OWNERSHIP OF NAME OF IALAMEI IAPAR**

Tanna Island Court ibin sitdaon long Wednesday 31<sup>st</sup> August 2016 long 9.00 o'clock long morning mo hearem matter we istap antap.

Defendant Tom Numake hemi no appear long Court this morning and Court hemi kat prouve se Clerk blong Tanna Island Court hemi bin servem Defendant Tom Numake mo hemi no bin appear long Court this morning mo Court hemi kat prouve se defendant hemi refusem blong signem prouve of Service and Court ia hemi no hesitate blong givem Judgment long absence blong Defendant.

*Order 17 Section 3*

*If the plaintiff appears and the defendant does not appear when called and has not in writing previously explained to the court good reason for his absence, the court may, upon proof of service of the statement of claim proceed to hear the cause and give judgment upon the evidence adduced by the plaintiff, or may postpone the hearing of the cause and direct to be given to the defendant.*



## SHORT HISTORY BLONG SAM NAIU IOPIL

Long 9<sup>th</sup> November 2014, plaintiff hemi mekem wan report agensem Defendant. Plaintiff hemi gohed blong talem hemi nao hemi realy bloodline blong lalamei lapar. Mo Plaintiff hemi pruvem hem wan long bloodline blong hem.

*Namipi lalamei Namipi Naiu wife blong hem Koiamu mo tufala ikat 2 son Tom Nalake mo lalamei Tukiapen.*

*lalamei Tukiapen wife blong hem Talap Neman mo son blong tufala hemi Tom Nalawas. Tom Nalawas wife blong hem Namanpen pikinini blong tufala hemi **lalamei lapar**, Kapahai Misis, Naiu Iopil, Tom Nalake, Nauka, lawia and Kapalu Posen.*

***lalamei lapar wife blong hem Maritana girl blong tufala hemi Meriam Nemanepen***

*Jimmy lalamei Tukiapen wife blong hem lawak Kalamis mo tufala ikat olgeta pikinini ia Sam Naiu Iopel, Tom Naiu, Jimmy laken larimis, Sam Iounam mo Tangap.*

*Sam Naiu Opil wife blong hem Lyndou Lutha ol pikinini blong tufala ikat Kapahai Misis, Edla Waijo, Kouiamu, lalamei Tukiapen mo Serah Namanipen*

*Tom Naiu Niklakouameta wife blong hem Margreth ol pikinini blong tufala ikat lalamei lapar, Naiu, Kapalu Posen, Heniweia, Kawi mo Kathy Bea.*

After we hemi callem olgeta witnesses blong hem, Court hemi finem se olgeta witness ia oli supportem statment blong lalamei lapar mo oli kam blong pruvem bloodline blong Tom Numake. Mo oli provem se bloodline blong Tom Numake, papa blong hem hemi Keyap from taem we lalamei lapar hemi ko long Ship Merinda, Meritana we hemi mother blong Tom Numake hemi ko stap live wetem Keyap mo hemi pregnant. Hemia nao Histry blong Tom Numake.



**Findings:**

Court ia hemi finem se ikat two cases we istap long application ia:

1. True bloodline blong lalamei lapar
2. Dispute blong bloodline blong Tom Numake

**Declaration:**

Court hemi declarem se lalamei lapar hemi stret connect bloodline blong Tom Nalawas Nakamal hemi long ilisilis.

Court hemi declarem Tom Numake hemi stret connect bloodline blong Keyap mo Nakamal blong tufala hemi leru.

Tufala parties I meetim cost blong tufala.

30 days blong appeal spos yu no agree long decision blong Island Court.

Isangel, dated 31st August 2016.



Justice Jocelyne Usua



Justice George Nipiko



Justice William Lomai

