

**IN THE MALEKULA ISLAND COURT
OF THE REPUBLIC OF VANUATU**
(Civil Jurisdiction)

Chiefly Title case 2723 of 2024

**BETWEEN: THEORA CARLOT
OF WALLA VILLAGE, NORTHEAST MALEKULA**
Claimant

**AND: ROMAIN SOVRINMAL
OF WALLA VILLAGE, NORTHEAST MALEKULA**

**GRATIANO MAILIBAKREN
OF WALLA VILLAGE, NORTHEAST MALEKULA**

**FRANCO SIPTILEY
WALLA VILLAGE, NORTHEAST MALEKULA**

Defendants

DATE OF HEARING: 30 APRIL 2025

DATE OF DECISION: 05 MAY 2025

**BEFORE JUSTICES: JUSTICE JOSES LINGI(CHAIRPERSON), JUSTICE BAIACK TOLISH,
JUSTICE PATISSON**

CLERK: COLLYNE TETE MAKI

**PARTIES: DEFENDANTS – All Present before the court except Gratiano Malilibakren not
present in court**

CLAIMANT – Present before the court



BACKGROUND BLONG KES

Kes we emi filed bifo long kot ia emi long 06 August 2024 we emi wan kleim bifo long kot blong jifly taetol blong Mare Nakamal.

Issue long kes ia emi "*Whu long olgeta parties ia nao emi stret jif blong Mare nakamal*"

Evri parties oli tokbaot kleim blong olgeta I kam long kot.

AFTA WE KOT I HAREM TOKTOK BLONG OLGETA PARTIES KOT I FAENEM MAOT SE: -

1. Kleimen emi talem long kot se emi originally emi travel i kam long unua southeast Malekula mo emi mu vi ko long walla aelan mo setemap wan nakamal we emi Mare. Travelling ia emi no stret follem kastom blong travel aot long wan longfala distance mo setem ap wan nakamal
2. Kleimen emi confemem long kot se emi wan spokesman blong jif nomo blong paramaon jif Kukul, be emi no blad laen blong wan high jif
3. Kleimen emi talem long kot se Meltekvore emi blong vare nakamal mo emi nao emi gem graon long emi blong emi setem ap mare nakamal, be travelling blong emi emi travel i kam long Unua nomo. Follem kastom taem yu muv aot ko stap long nara ples big jif blong ples emi save gem graon blong wok nomo be emi no blong buildem wan nara nakamal bakgegen, from bae yu yu olsem wan wokman blong emi nomo
4. Witness blong kleimen Samiko Toursesrew emi talem long kot se emi nao emi Kukul we emi big jif blong Theora Carlot mo taem tufala i ko long Walla i gat man is tap finis be tufala i no talem maot nem blong emi
5. Spokes man blong Sovrinmal emi talem long kot se oli no travel i kam long Unua be oli kam long Portvalim
6. Sovrinmal oli mu vi ko long mare nakamal mo mekem smol nakamal moru mo emi pefomem 2 namangy blong karem rank blong jif, mo nem blong ol namangy ia emi nato mo naviche
7. Sovrinmal emi talem se emi fes man we emi settle long Walla aelan mo setemap nakamal ya mare, mo potvalim emi wan nearby boundary long walla aelan where as unua emi stap long we tumas
8. Franco Siptiley emi talem long kot se emi wan jif blong Lowo mo emi kleim mare nakamal follem laef blad blong woman nomo, emi no providem eni witness blong pruvum ol toktok blong emi se i gat laef blad mo emi no pruvum long kot tu se emi pefomem wan kastom ceremony blong karem taetol blong jif Nibal



AFTA WE KOT I MEKEM OL FINDINGS IA KOT I MEKEM ODA SE: -

KOT ODA

1. Romain Sovrinmal emi jif blong Mare nakamal
2. Eni long ol parties emi no happy wetem decision ia emi gat 30 dei stat tedei kasem 13 June 2025 blong apil i ko long Majjstret kot



Dated at Lakatoro this 05 May 2025

BY THE COURT



Justice Pafisson PETER



Justice Baiack Tolish



Justice Joses Lingi

