

In the Ghorena Local Court

LC Case No. 06/1998

In the matter of: Turovilu Land

Between: Steve Lethy&Obed Siako

Complainant

And: Nathaniel Luluku&Gwen Abana

Defendant

### Preliminary Hearing

Held at Gizo

14<sup>m</sup> April 2014

#### Before:

Redley Amon - President

Oda Lilo - Member

Joshua Lui - Member

Panaskai Tuke - Clerk

### 1. Introduction

This case about Turovilu Island. Registered as case number 06/1998. It was filed and registered to the local court by the complainants Mr. Steve lethy&Obed Siako.

### 2. Issue (s)

The issue before this court is whether or not the requirement of Section 12 (1) (a) (b) (c) of the local court Act (Cap. 19) had been complied with.

### 3. Rule/Law apply

The rule or law apply in this case and situation is Section 12 (1) (a) (b)(c) of the Local court Act (Cap.19).

### 4. Analysis

According to the prescribed Unaccepted Settlement Form particularly on summary of findings/decision by the chiefs that the current complainants were the original owner of the disputed Island. The complainants however, filed the case to the Local Court when the decision was in their favour. It appears on file that the defendant party did not attend the chiefs hearing thus the chiefs proceed on with the hearing and making the determination.

### 5. Conclusion

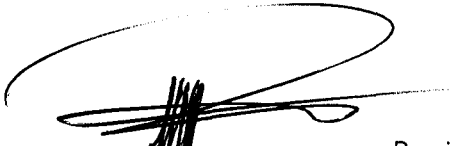
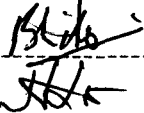

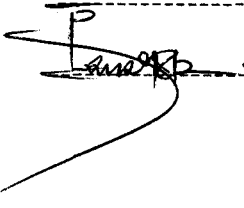
Despite the absence of the other defendant party it cannot constitute that all traditional means of solving the dispute has been exhausted thus the court rules,

(a) The case is struck out

(b) Parties at liberty to take up case before any chiefs tribunal within the locality of the dispute as agreed to by both parties

### 6. Order

No order for costs

Redley Amon-		President
Oda Lilo-		Member
Joshua Lui-		Member
Panaskai Tuke-		Clerk