

**IN THE ISLAND COURT (LAND) OF
THE REPUBLIC OF VANUATU –
Isangel, Tanna
(Custom Land Jurisdiction)**

Case No. 24/425 IC/CUST

**IN THE MATTER OF: Section 45 of Custom Land
Management Act No. 33 of 2013**

AND IN THE MATTER OF: Namatautu Land

**AND IN THE MATTER OF: A decision of South West Tanna Area
Council Customary Land Court
Tribunal, dated 1st December 2023**

**BETWEEN: Family Harry Kausir
Tanna**

First Applicant

**AND: Family Iahwa Kauses
Tanna**

Second Applicant

**AND: South West Tanna Area Council
Customary Land Court Tribunal
Tanna**

First Respondent

**AND: Family Neman Iesul
Tanna**

Second Respondent

Coram:

*Senior Magistrate B. Kanas Joshua, Chairlady
Justice Tipalo Ianavir
Justice William Loumai
Justice Jocelyn Namaka Usua
Justice Benjamin Kuao
Justice Sam Naiu (Observer)
Ms Collyne Tete Maki (Registrar)*

Counsels:

*No appearance for the Applicant
Mr L. Huri, for 1st Respondent
Mr D. Yawha, for 2nd Respondent*



MINUTE & ORDER

1. There was no appearance for the Applicant. Mr Lennon Huri appeared for the first respondent, and Mr Daniel Yawha appeared for the second respondent.
2. The application for review was drawn up by Mr Amos Kalua for and on behalf of the first and second Applicants. However, there was no appearance in court today by him or the Applicants.
3. Mr Huri informed the Court that he was recently served with the application for review by the clerk of Tanna Island Court recently. However, Mr Yawha informed the Court

that he has not been served. Mr Yawha sought directions from the Court for service of the documents by the applicant

4. The contents in the court file are as follows:

Applicant	<ul style="list-style-type: none"> - Application for Review - Sworn Statement of Amos Kalua in support of the Application for Review - Sworn Statement of Harry Kausir in support of the Application for Review - Sworn Statement of Iahwa Kausies in support of the Application for Review
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5. The court file contains copies of the Application for Review, which should be dispatched to the respondents. As seen in the contents above, there is no response from the first respondent.

Direction Order

THE COURT hereby makes the following direction orders:

- a) That the first respondent is given 14 days to file a response and have it served on all parties before next court date.
- b) That the second respondent is given 14 days to file a response to the Application for Review and have it served on all parties before next court date.
- c) That the matter is adjourned to **the next session** of Island Court (Land) on Tanna, for hearing of the Application for Review.

Dated in Isangel, Tanna, on this 17th day of July, 2024

BY THE COURT

**B. Kanas Joshua (SM)
CHAIRLADY**

Justice Tipalo Ianavir

Justice Jocelyn Namaka Usua



Justice William Loumai

Justice Benjamin Kuao