

IN THE SUPREME COURT OF TONGA
CIVIL JURISDICTION
NUKU'ALOFA REGISTRY

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file. *26/11/13.*
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BETWEEN: 1. 'UNUAKI 'O TONGA ROYAL UNIVERSITY OF TECHNOLOGY an educational institute registered pursuant to the provisions of the Education Act Cap.86

2. 'ETUATE LAVULAVU of Nuku'alofa, Tonga.

- **Plaintiffs**

AND : THE KINGDOM OF TONGA sued in respect of the Ministry of Commerce, Tourism & Labour

- **Defendant**

BEFORE LORD CHIEF JUSTICE

HAVING READ the application of the Plaintiffs dated 20 November 2013 for an interlocutory injunction against the Defendant **AND** the affidavit of 'Etuata Lavulavu dated 19 November 2013 sworn and filed in support **AND BEING SATISFIED** that there is urgency and the grounds of the application so warrant it:

IT IS ORDERED THAT:

1. The Defendant and its officers, agents, employees and invitees are restrained from removing the Plaintiffs from, or taking possession of, the land and buildings comprising the premises known as the Tonga National Centre and located on Taufua'ahau Road, Tofoa until midday 5 December 2013.
2. The Plaintiffs shall permit the Defendant's employees to enter into the Tonga National Center during normal business hours for the purposes of inspection provided that at least 24 hours written notice of the Defendant's intention to inspect is provided to the Plaintiffs. The Plaintiffs may nominate an employee to accompany the

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Defendant's employees during such inspections but shall not interfere with such inspections;

3. The Plaintiffs shall maintain insurance coverage for the buildings and contents of the Tonga National Centre until this matter has been finally determined by the Court.
4. The Plaintiffs shall not undertake any further structural development to, or erect any further buildings or structures at, the Tonga National Centre until this matter has been finally determined by the Court.
5. The Plaintiffs shall keep and maintain the buildings and assets belonging to the Tonga National Centre in their current condition and shall pay for utility costs incurred at the Tonga National Centre until this matter has been finally determined by the Court.
6. Costs of this application to be in the cause.

DATED: 20 November 2013.



CHIEF JUSTICE