



**MALAWI JUDICIARY
IN THE HIGH COURT OF MALAWI
PRINCIPAL REGISTRY
CIVIL CAUSE NO.42 OF 2016**



BETWEEN:

PAMODZI SETTLEMNT TRUST (2005).....PLAINTIFF

AND

BLANTYRE CITY ASSEMBLY.....DEFENDANT

CORAM: K. BANDA, ASSISTANT REGISTRAR

Gondwe, Counsel for the plaintiff

Matumbi, Counsel for the defendant

Ngoma, Court Clerk

ORDER

Crux of the application.

This is this court's order on plaintiff's application for disposal of a matter on a point of law under order 14A of the rules of the Supreme Court. To wit the plaintiff application is asking for disposal of the matter on the following questions;

1. Whether the defendant, by failing to deliver the billboards belonging to the plaintiff after seizing the same, did convert them to their own use; and
2. Whether the defendant in law are liable for conversion; and
3. Whether the plaintiff is entitled to damages for conversion.

Background

The brief background to the matter is that by a statement of claim filed on 2nd February, 2016, the plaintiff averred that it owned billboards elected at diverse places in the city of Blantyre. That around August,2015, officers of the defendant seized five of them for non-



