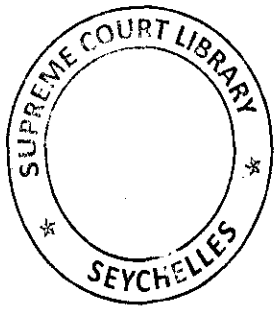


IN THE SEYCHELLES COURT OF APPEAL

NADINE THELEMAQUE

v.

NATASHA LOUISE



Civil Appeal No. 2 of 1995

Mr. F. Bonte for the plaintiff

Mr. J. Renaud for the defendant

JUDGMENT

The Respondent entered a claim against the Appellant in which she complained that she had been slandered and severe aspersions had been made on her chastity. The Appellant denied having the slanderous words. The trial judge found that the slanderous words had in fact been uttered and awarded the Respondent R.20,000 as moral damages.

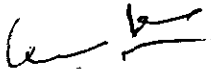
The Appellant has appealed against this judgment on four grounds but in the course of his submission complained that he had not been given time to amend the Respondent's defence. Had he been given time he would probably have entered a plea that the words were uttered in the heat of the moment and the Respondent would have tendered an apology. He formally tendered such an apology and he submitted that in any case the damages were excessive.

Mr. Bonte for the Respondent questioned the sincerity of the apology as the Appellant had ample opportunity to do so. He further submitted that the award was not excessive in view of the gravity of the slander.

We have given serious consideration to the seriousness of the slander. It is likely that the words were more in the nature of vulgar abuse. On the other hand, there was limited publicity to such slander to persons who probably knew that the words uttered were not true. In the circumstances we feel that an award of R.10,000 would meet the ends of justice. We amend the award accordingly.

There will be no order as to costs.

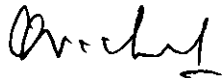
Dated the 19th day of October, 1995.



P. GOBURDHUN
(PRESIDENT)



E.O. AYoola
(JUSTICE OF APPEAL)



L.E. VENCHARD
(JUSTICE OF APPEAL)