

**IN THE SUPREME COURT OF SEYCHELLES**

**EXPARTE: CHRISTELLE GONTHIER**

Civil Side No. 253 of 2006

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Mr. Hoareau for the Applicant

**ORDER**

*Gaswaga, J*

This petition has been filed by Christelle Gonthier with a prayer that the Honorable Court be pleased to authorize her to mortgage parcel PR 4102 as security for a loan of Rs.400, 000/- to construct a house on the same parcel.

It was deposed in the accompanying affidavit that the Petitioner is the mother of one Kimberly Wendy Gonthier, a minor and Angela Julia Gonthier who has now attained the age of majority. They all reside on Praslin Island and the Petitioner lives with the minor in a bed-sitter.

It was averred that the said parcel of land was bought by the Petitioner for her said children as evidenced by the purchase agreement dated 20<sup>th</sup> January, 2005 and attached on the affidavit as an annexure A1. That the said loan is intended to be used for the construction of a 3-bedroomed house which would be in the interest and advantage of the minor in that it would not only give extra value to the land but it will also provide the Petitioner and the minor with a comfortable environment to live in.

Angela Julia Gonthier has also consented to the property being mortgaged. Mr. Robert Gonthier, the husband to the Petitioner and the father to both children has been residing in Saudi Arabia for the past four years and as such is incapable of acting in the capacity of administrator of the said minor.

This petition was served on the Attorney General in his capacity as Minister Public and Mr. Esparon, appearing before the Court on his behalf, did not object to the petition.

This Court has considered the application and accompanying affidavit together with the submissions of Mr. Basil Hoareau for the Petitioner and Mr. Esparon and finds that the Petitioner is acting in the interest of the minor. Accordingly the application is hereby granted, allowing Christelle Gonthier in her capacity as administrator of the property of the minor to mortgage parcel PR 4102 as security for a loan of Rs.400, 000/- with the Seychelles Savings Bank.

**D. GASWAGA**

**JUDGE**

Dated this 6<sup>th</sup> day of October, 2006