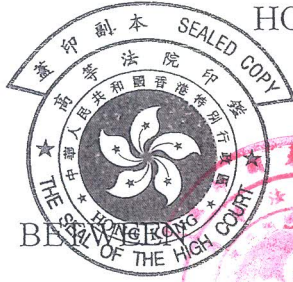


Claim nature:
A. Tort
B. Mixed Claim

HCA 1886 / 2019

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. 1886 OF 2019



SECRETARY FOR JUSTICE

Plaintiff

and

PERSONS UNLAWFULLY AND WILFULLY
OBSTRUCTING OCCUPYING OR REMAINING ON
OR HINDERING OR PREVENTING THE PASSING OR
REPASSING OF THE PUBLIC HIGHWAY, NAMELY
THE PORTION OF PUBLIC ROADS SHADED IN RED
ON THE PLANS IN ANNEX 1 TO THE WRIT OF
SUMMONS HEREIN ENCLOSING THE DISCIPLINED
SERVICES QUARTERS AND POLICE MARRIED
QUARTERS LISTED IN ANNEX 2 TO THE WRIT OF
SUMMONS HEREIN

1st Defendants

PERSONS CAUSING DAMAGE TO OR TRESPASSING
OR INTERFERING WITH THE USE AND
ENJOYMENT OF THE DISCIPLINED SERVICES
QUARTERS AND POLICE MARRIED QUARTERS
LISTED IN ANNEX 2 TO THE WRIT OF SUMMONS
HEREIN

2nd Defendants

TO THE 1ST DEFENDANTS, PERSONS UNLAWFULLY AND WILFULLY
OBSTRUCTING OCCUPYING OR REMAINING ON OR HINDERING OR PREVENTING
THE PASSING OR REPASSING OF THE PUBLIC HIGHWAY, NAMELY THE PORTION
OF PUBLIC ROADS SHADED IN RED ON THE PLANS IN ANNEX 1 HEREIN
ENCLOSING THE DISCIPLINED SERVICES QUARTERS AND POLICE MARRIED
QUARTERS LISTED IN ANNEX 2 HEREIN whose last known address is the portion of
public roads shaded in red on the plans in Annex 1 herein enclosing the Disciplined Services
Quarters and Police Married Quarters listed in Annex 2 herein, AND THE 2ND
DEFENDANTS, PERSONS CAUSING DAMAGE TO OR TRESPASSING OR
INTERFERING WITH THE USE AND ENJOYMENT OF THE DISCIPLINED
SERVICES QUARTERS AND POLICE MARRIED QUARTERS LISTED IN ANNEX 2

HEREIN whose last known address is the portion of public roads shaded in red on the plans in Annex 1 herein enclosing the Disciplined Services Quarters and Police Married Quarters listed in Annex 2 herein.

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim set out on the back.

Within (14 days) after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Registry of the High Court the accompanying ACKNOWLEDGMENT OF SERVICE stating therein whether you intend to contest these proceedings or to make an admission.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings or to make an admission, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued from the Registry of the High Court this 14th day of October 2019

Registrar

Note: — This Writ may not be served later than 12 calendar months beginning with that date unless renewed by order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

INDORSEMENT OF CLAIM

The Plaintiff claims against the 1st Defendants for public nuisance and the 2nd Defendants for private nuisance, trespass to land and property damage and seeks the following relief against each of them:-

1. The 1st Defendant and each of them whether acting on his/her own or together with other person(s) be restrained from doing any of the following acts:-
 - (a) unlawfully and wilfully obstructing occupying or remaining on or hindering or preventing the passing or repassing of any road or passageway, whether vehicular or pedestrian, in the portion of public roads shaded in red on the plans attached hereto as "Annex 1" ("**Quarters Area**") enclosing any Disciplined Services Quarters ("**DSQs**") and Police Married Quarters ("**PMQs**") (collectively "**Quarters**") listed in "Annex 2" herein;
 - (b) inciting and/or aiding and/or abetting any person to do any of the acts identified in (a) above;
2. The 2nd Defendants and each of them whether acting on his/her own or together with other person(s) be restrained from doing any of the following acts:-
 - (a) damaging or defacing any part of the Quarters including but not limited to its doors, gates, windows, external walls and closed circuit television cameras, whether by painting, writing, drawing or affixing any word or character thereat or otherwise howsoever;
 - (b) entering any part of the Quarters without prior authorisation by the Plaintiff or any resident thereat;
 - (c) interfering with the use and enjoyment of the Quarters by the residents thereat including but not limited to doing any of the following acts:-
 - (1) obstructing or preventing access to any of the entrances of the Quarters; and
 - (2) projecting light of such intensity and/or frequency that is capable of reducing a viewer's ability to see or producing any sensation of discomfort to any viewer onto any part of the Quarters by the use of laser source light, spot light, flash light or any other light emitting tool or equipment, whether directly or through a reflector;
 - (d) inciting and/or aiding and/or abetting any person to do any of the acts identified in (a), (b) and/or (c) above.
3. Damages for private nuisance (to be assessed).
4. Damages for trespass and damage to property (to be assessed).
5. Interest.

6. Costs.

7. Further and/or other relief as the Court sees fit.

Dated this 14th day of October 2019.



Department of Justice
Solicitors for the Plaintiff

THIS WRIT was issued by the Department of Justice of 6/F., East Wing and Main Wing, Justice Place, 18 Lower Albert Road, Central, Hong Kong.

Solicitors for the said Plaintiff whose address is 6/F., East Wing and Main Wing, Justice Place, 18 Lower Albert Road, Central, Hong Kong.

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. OF 2019

BETWEEN

SECRETARY FOR JUSTICE

Plaintiff

and

PERSONS UNLAWFULLY AND WILFULLY
OBSTRUCTING OCCUPYING OR REMAINING ON
OR HINDERING OR PREVENTING THE PASSING OR
REPASSING OF THE PUBLIC HIGHWAY, NAMELY
THE PORTION OF PUBLIC ROADS SHADED IN RED
ON THE PLANS IN ANNEX 1 TO THE WRIT OF
SUMMONS HEREIN ENCLOSING THE DISCIPLINED
SERVICES QUARTERS AND POLICE MARRIED
QUARTERS LISTED IN ANNEX 2 TO THE WRIT OF
SUMMONS HEREIN

1st Defendants

PERSONS CAUSING DAMAGE TO OR TRESPASSING
OR INTERFERING WITH THE USE AND
ENJOYMENT OF THE DISCIPLINED SERVICES
QUARTERS AND POLICE MARRIED QUARTERS
LISTED IN ANNEX 2 TO THE WRIT OF SUMMONS
HEREIN

2nd Defendants

ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS

If you intend to instruct a Solicitor to act for you, give him this form IMMEDIATELY.

Important. Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

Delay may result in judgment being entered against a Defendant whereby he or his Solicitor may have to pay the costs of applying to set it aside.

See Notes 1,
3, 4 and 5.

1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.

2. State whether the Defendant intends to contest the proceedings (tick appropriate box)

yes

no

See Direction 3.

3. If the only remedy that the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, state whether the Defendant intends to make an admission (tick appropriate box).

yes

no

If yes, the Defendant may make the admission by completing Form No. 16 or 16C (as the case may require) accompanying the Writ of Summons.

Where words appear between square brackets, delete if inapplicable

Service of the Writ is acknowledged accordingly.

(Signed) [Solicitor] ()

[Defendant in person]

Address for service

Notes as to Address for Service

Solicitor. Where the Defendant is represented by a Solicitor, state the Solicitor's place of business in Hong Kong.

Defendant in person. Where the Defendant is acting in person, he must give his residence OR, if he does not reside in Hong Kong, he must give an address in Hong Kong where communications for him should be sent. In the case of a limited company, "residence" (居所) means its registered or principal office.

DEPARTMENT OF JUSTICE
6/F., Main Wing and East Wing, Justice Place
18 Lower Albert Road
Central, Hong Kong
Tel No.: 3918 4455
Fax No.: 3918 4525
(Ref.: HCA /19)

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. OF 2019

BETWEEN

SECRETARY FOR JUSTICE

Plaintiff

and

PERSONS UNLAWFULLY AND WILFULLY
OBSTRUCTING OCCUPYING OR REMAINING ON
OR HINDERING OR PREVENTING THE PASSING OR
REPASSING OF THE PUBLIC HIGHWAY, NAMELY
THE PORTION OF PUBLIC ROADS SHADED IN RED
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SERVICES QUARTERS AND POLICE MARRIED
QUARTERS LISTED IN ANNEX 2 TO THE WRIT OF
SUMMONS HEREIN

1st Defendants

PERSONS CAUSING DAMAGE TO OR TRESPASSING
OR INTERFERING WITH THE USE AND
ENJOYMENT OF THE DISCIPLINED SERVICES
QUARTERS AND POLICE MARRIED QUARTERS
LISTED IN ANNEX 2 TO THE WRIT OF SUMMONS
HEREIN

2nd Defendants

ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS

If you intend to instruct a Solicitor to act for you, give him this form IMMEDIATELY.

Important. Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

Delay may result in judgment being entered against a Defendant whereby he or his Solicitor may have to pay the costs of applying to set it aside.

See Notes 1,
3, 4 and 5.

1. State the full name of the Defendant by whom or on whose behalf the service of the Writ is being acknowledged.

2. State whether the Defendant intends to contest the proceedings
(tick appropriate box)

yes

no

See Direction 3.

3. If the only remedy that the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, state whether the Defendant intends to make an admission (tick appropriate box).

yes

no

If yes, the Defendant may make the admission by completing Form No. 16 or 16C (as the case may require) accompanying the Writ of Summons.

Where words
appear between
square brackets,
delete if
inapplicable

Service of the Writ is acknowledged accordingly.

(Signed) [Solicitor] ()

[Defendant in person]

Address for service

Notes as to Address for Service

Solicitor. Where the Defendant is represented by a Solicitor, state the Solicitor's place of business in Hong Kong.

Defendant in person. Where the Defendant is acting in person, he must give his residence OR, if he does not reside in Hong Kong, he must give an address in Hong Kong where communications for him should be sent. In the case of a limited company, "residence" (居所) means its registered or principal office.

DEPARTMENT OF JUSTICE
6/F., Main Wing and East Wing, Justice Place
18 Lower Albert Road
Central, Hong Kong
Tel No.: 3918 4455
Fax No.: 3918 4525
(Ref.: HCA /19)

Acknowledgment of Service of Writ of Summons
(O. 12 r. 3)

Directions for Acknowledgment of Service

1. The accompanying form of ACKNOWLEDGMENT OF SERVICE should be detached and completed by a Solicitor acting on behalf of the Defendant or by the Defendant if acting in person. After completion it must be delivered or sent by post to the Registry of the High Court at the following address: —

“LG1, High Court Building, 38 Queensway, Hong Kong.”

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings MUST ALSO file a DEFENCE which must be written in either the Chinese or the English language with the registry and serve a copy thereof on the Solicitor for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words “Statement of Claim” appear at the top of the back), the Defence must be filed and served within 28 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If a Statement of Claim is not indorsed on the Writ, the Defence must be filed and served within 28 days after a Statement of Claim has been served on the Defendant. If the Defendant fails to file and serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

The Defendant’s defence must be verified by a statement of truth in accordance with Order 41A of the Rules of the High Court (Cap. 4 sub. leg. A).

3. If the only remedy that the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, you may admit the Plaintiff’s claim in whole or in part by completing Form No. 16 or 16C (as the case may require) accompanying the Writ of Summons.

A completed Form No. 16 or 16C must be filed with the Registry of the High Court and served on the Plaintiff [or the Plaintiff’s Solicitors] within the period for service of the Defence.

4. A Defendant who wishes to dispute the jurisdiction of the Court of First Instance in the proceedings or to argue that the Court of First Instance should not exercise its jurisdiction in the proceedings, and wishes to apply to the Court of First Instance for an order staying the proceedings, must give notice of intention to defend the proceedings and make the application within the time limited for service of a defence.

See attached Notes for Guidance

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Registry of the High Court.

[2. For the purpose of calculating the period of 14 days for acknowledging service, a writ served on the Defendant personally is treated as having been served on the day it was delivered to him and a writ served by post or by insertion through the Defendant's letter box is treated as having been served on the seventh day after the date of posting or insertion.]

(Note: Not applicable if the defendant is a company served at its registered office.)

3. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words "sued as (the name stated on the Writ of Summons)".

4. Where the Defendant is a FIRM and a Solicitor is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description "partner in the firm of (.....)" after his name.

5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description "trading as (.....)" after his name.

6. Where the Defendant is a LIMITED COMPANY the form must be completed by a Solicitor or by someone authorized to act on behalf of the Company, but the Company can take no further step in the proceedings without a Solicitor acting on its behalf.

7. Where the Defendant is a MINOR or a MENTAL Patient, the form must be completed by a Solicitor acting for a guardian ad litem.

8. A Defendant acting in person may obtain help in completing the form at the Registry of the High Court.

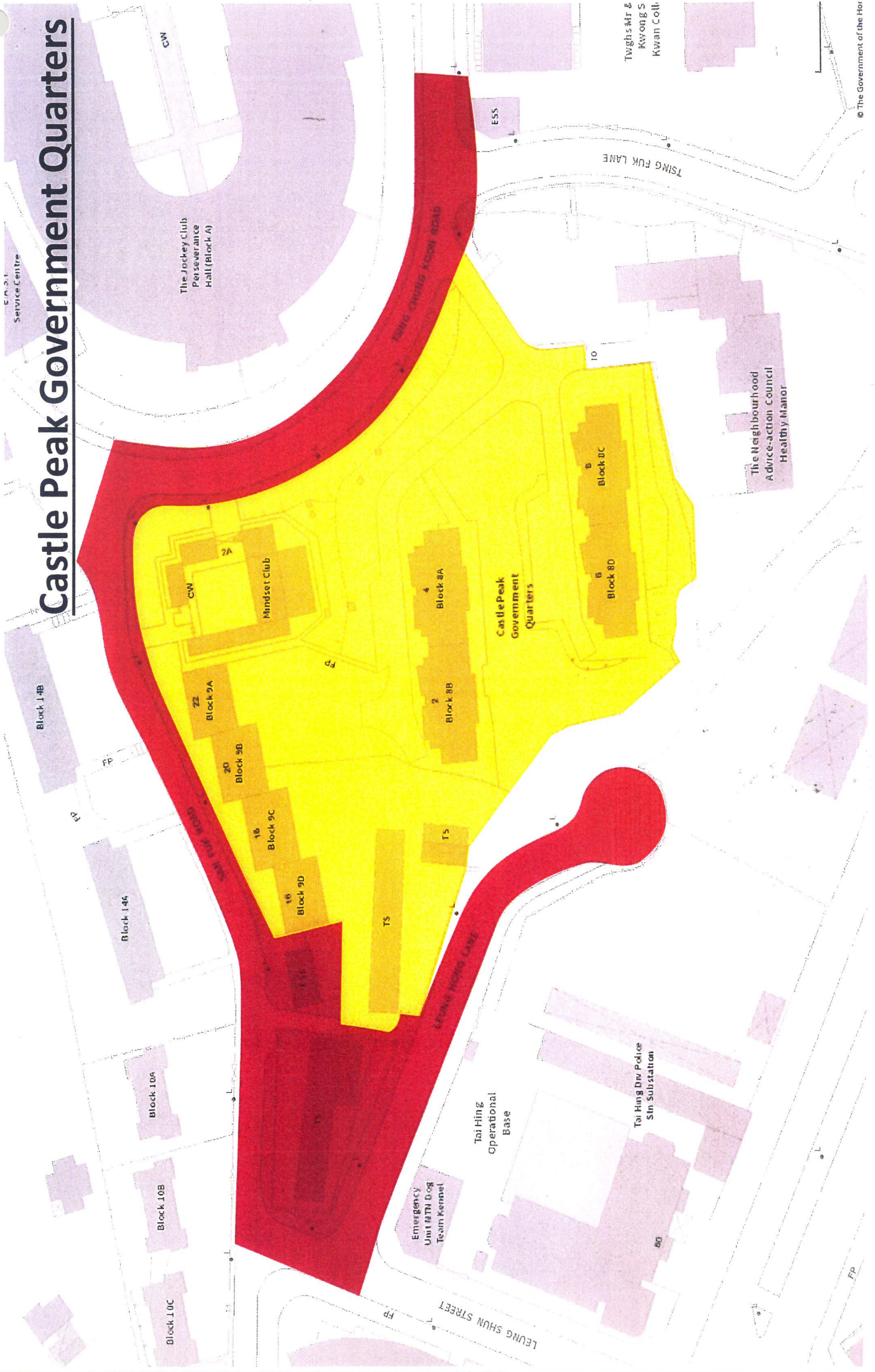
9. These notes deal only with the more usual cases. In case of difficulty a Defendant in person should refer to paragraph 8 above.

IMPORTANT NOTICE

This is a legal document. The consequence of ignoring it may be serious. If in doubt, you should enquire as soon as possible at the Registry of the Court issuing the document, namely LJI High Court Building, 38 Queensway, Hong Kong. You should also consider taking the advice of a Solicitor or applying for Legal Aid.

Annex 1

Castle Peak Government Quarters



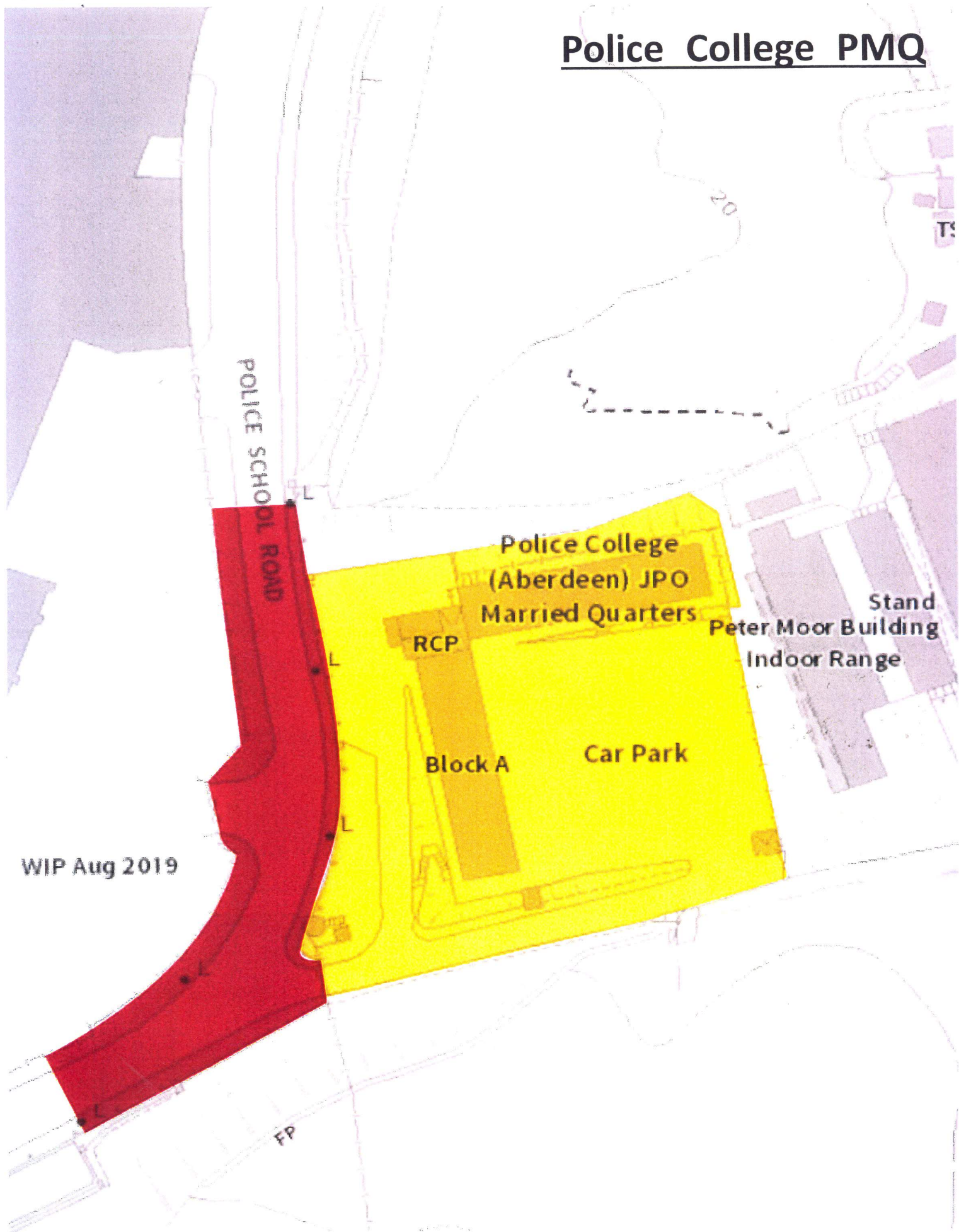
Chai Wan PMQ



Old Bailey Street PMQ



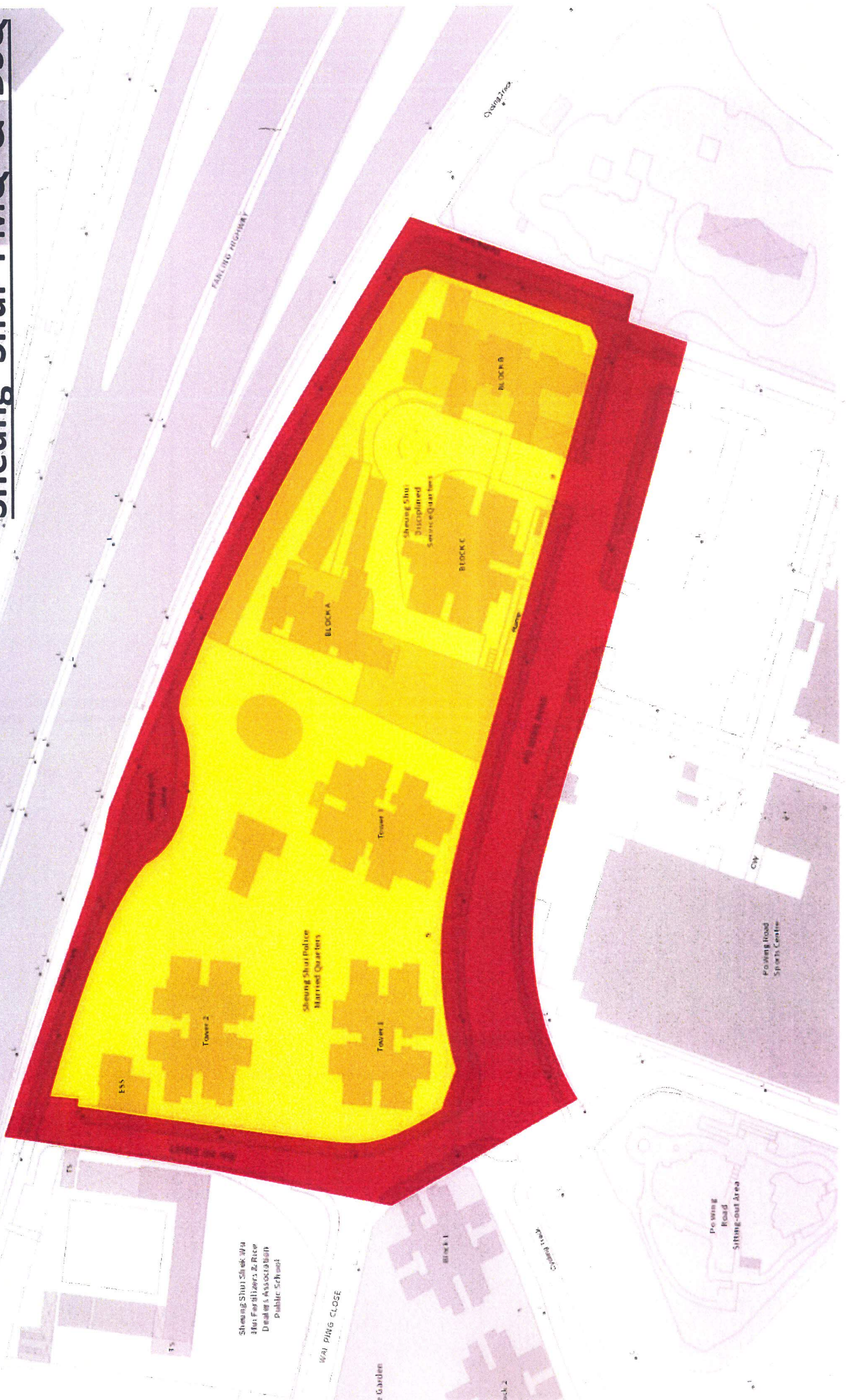
Police College PMQ



WIP Aug 2019

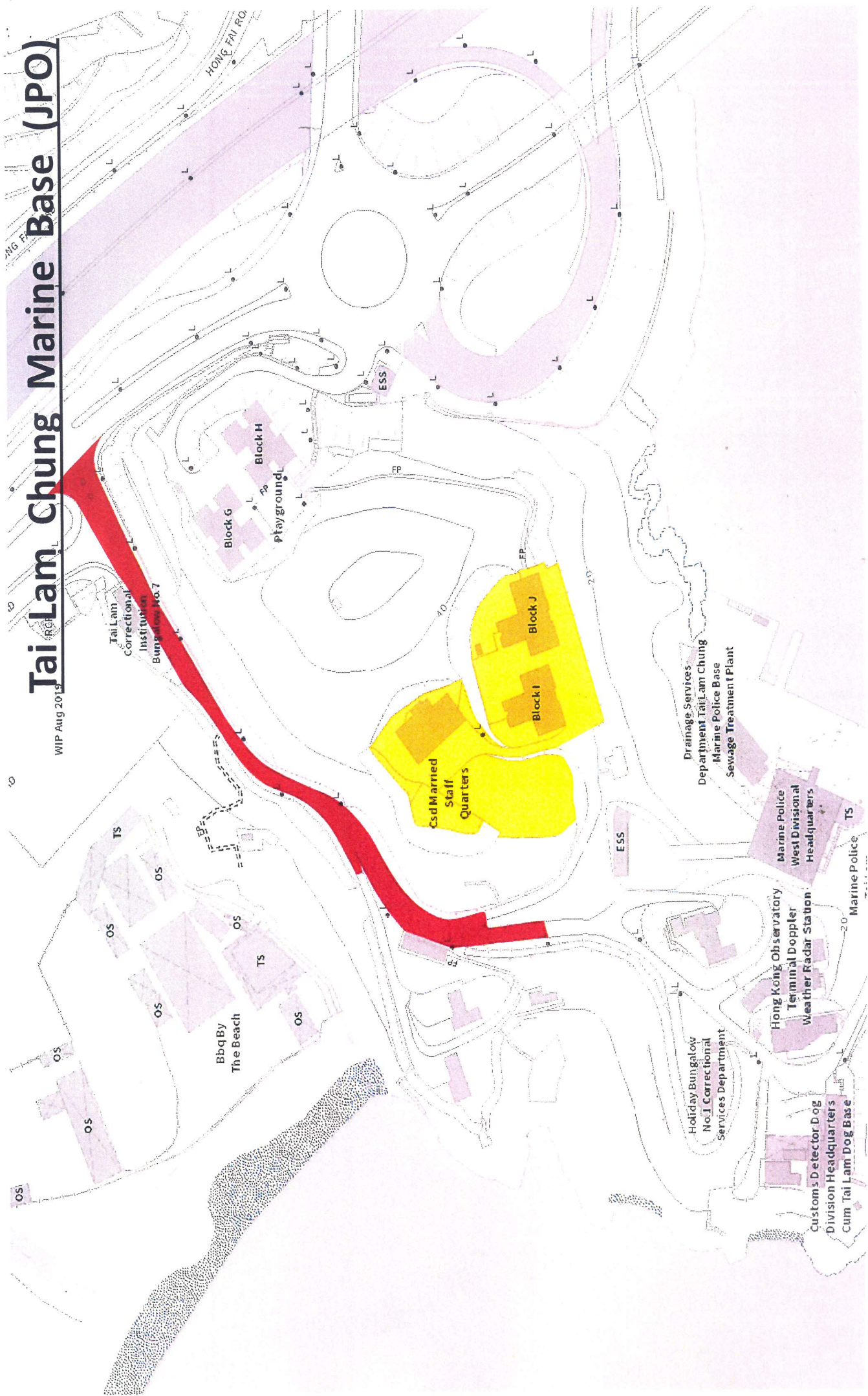
Sheung Shui PMQ & DSQ

Department of Infrastructure
 Planning and Development



Tai Lam Chung Marine Base (JPO)

WIP Aug 2019

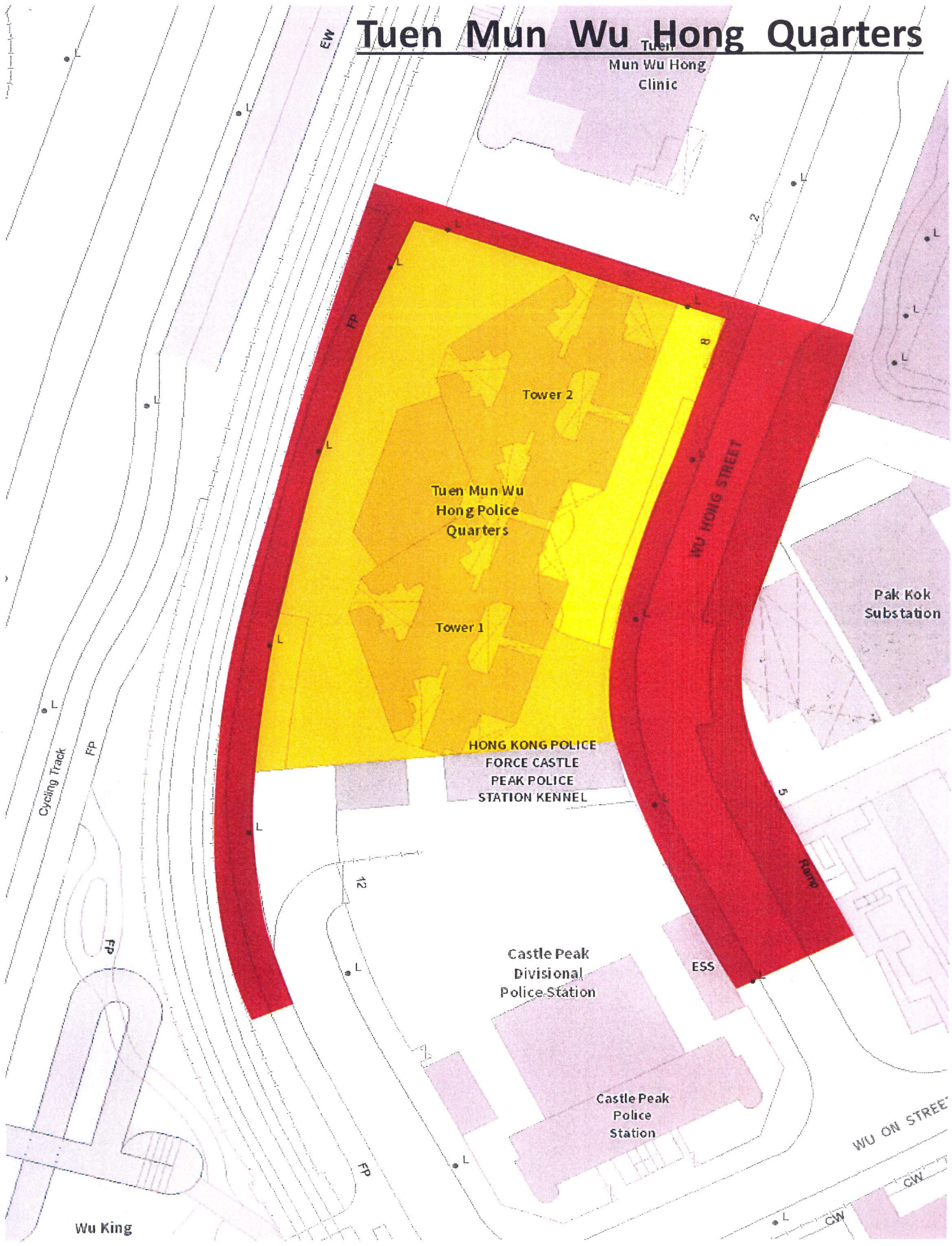


Tsing Yi PMQ

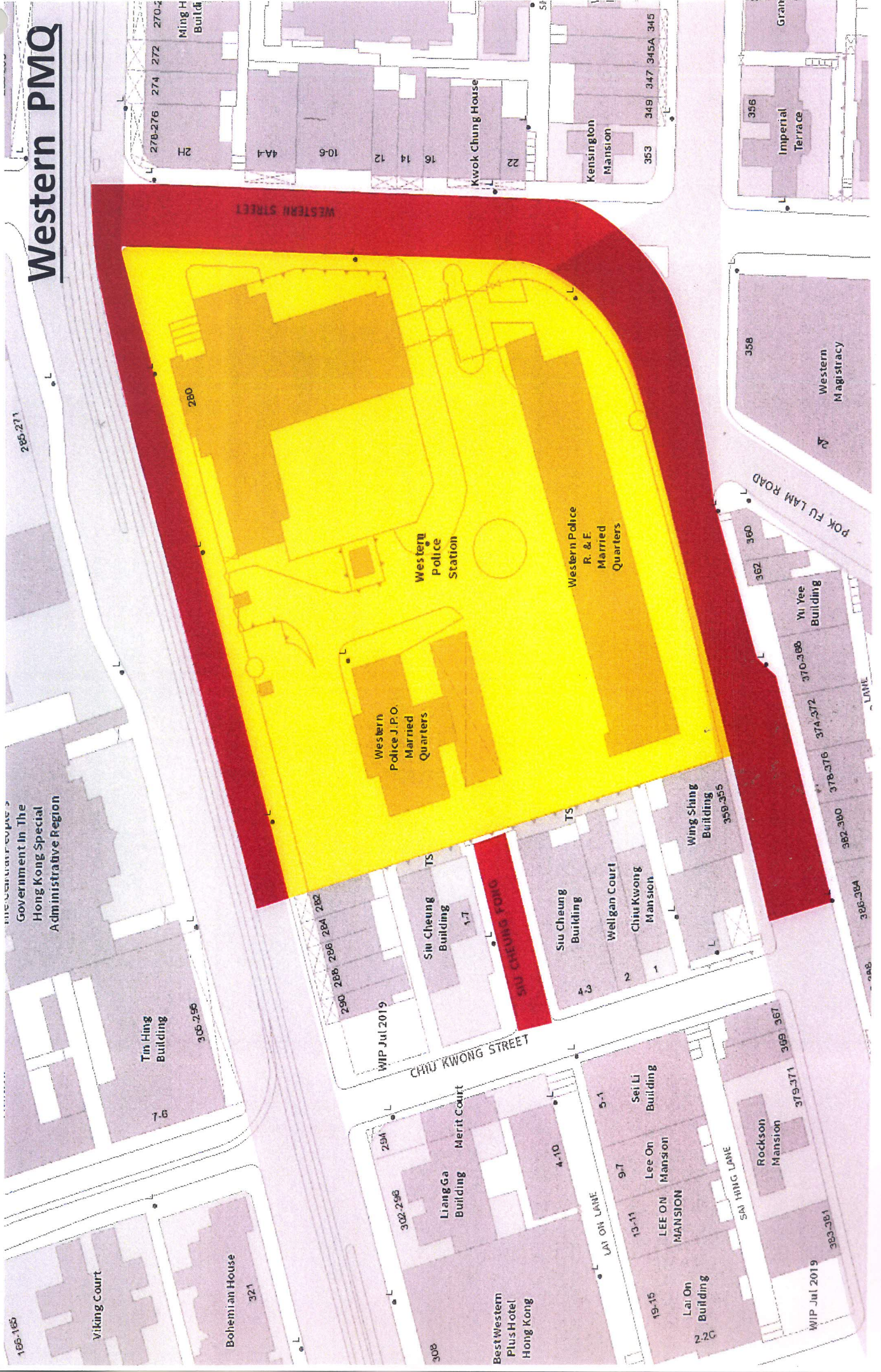
Greenfie
Garder
1 Fung Sh
Wo Roac



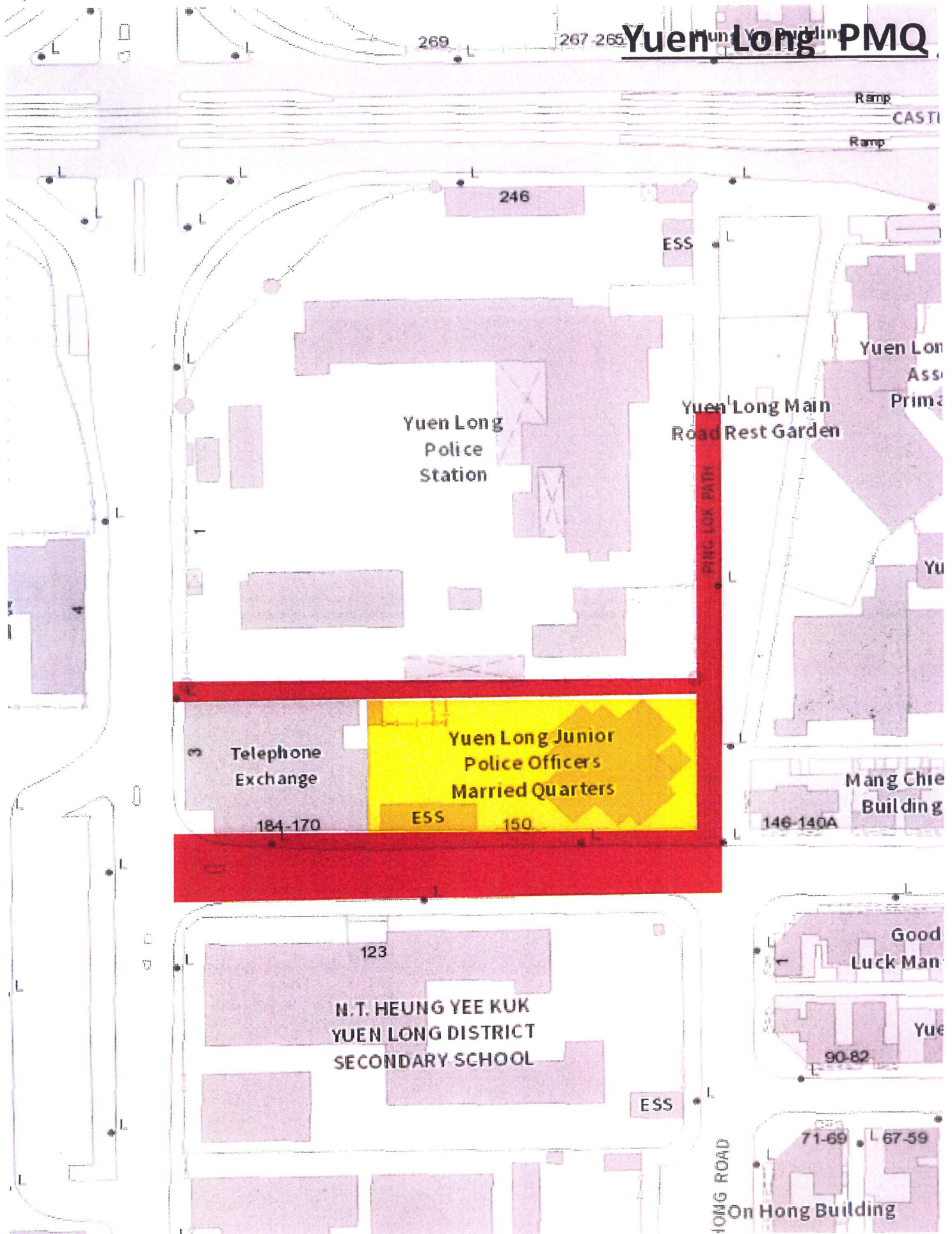
Tuen Mun Wu Hong Quarters



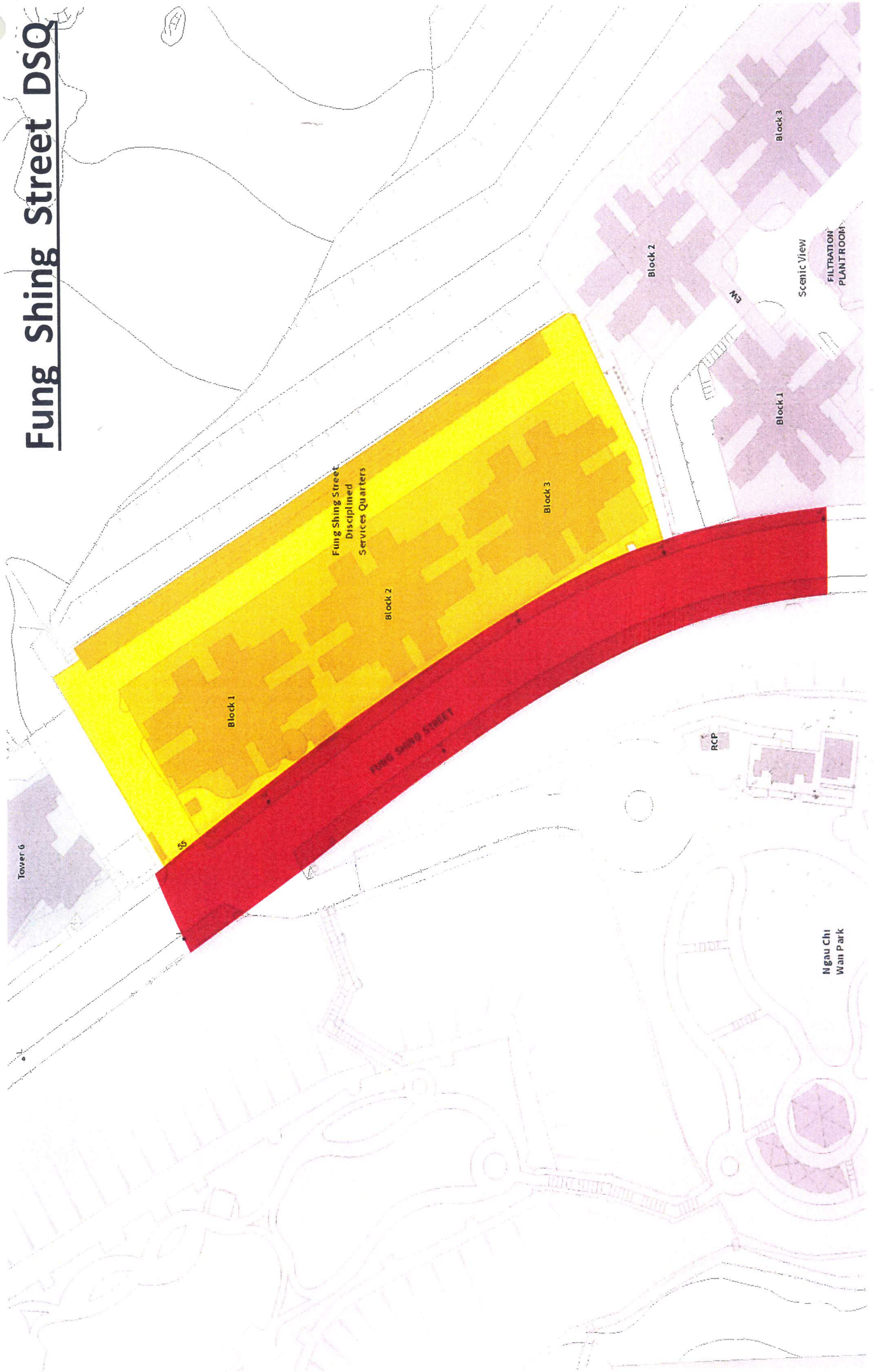
Western PMQ



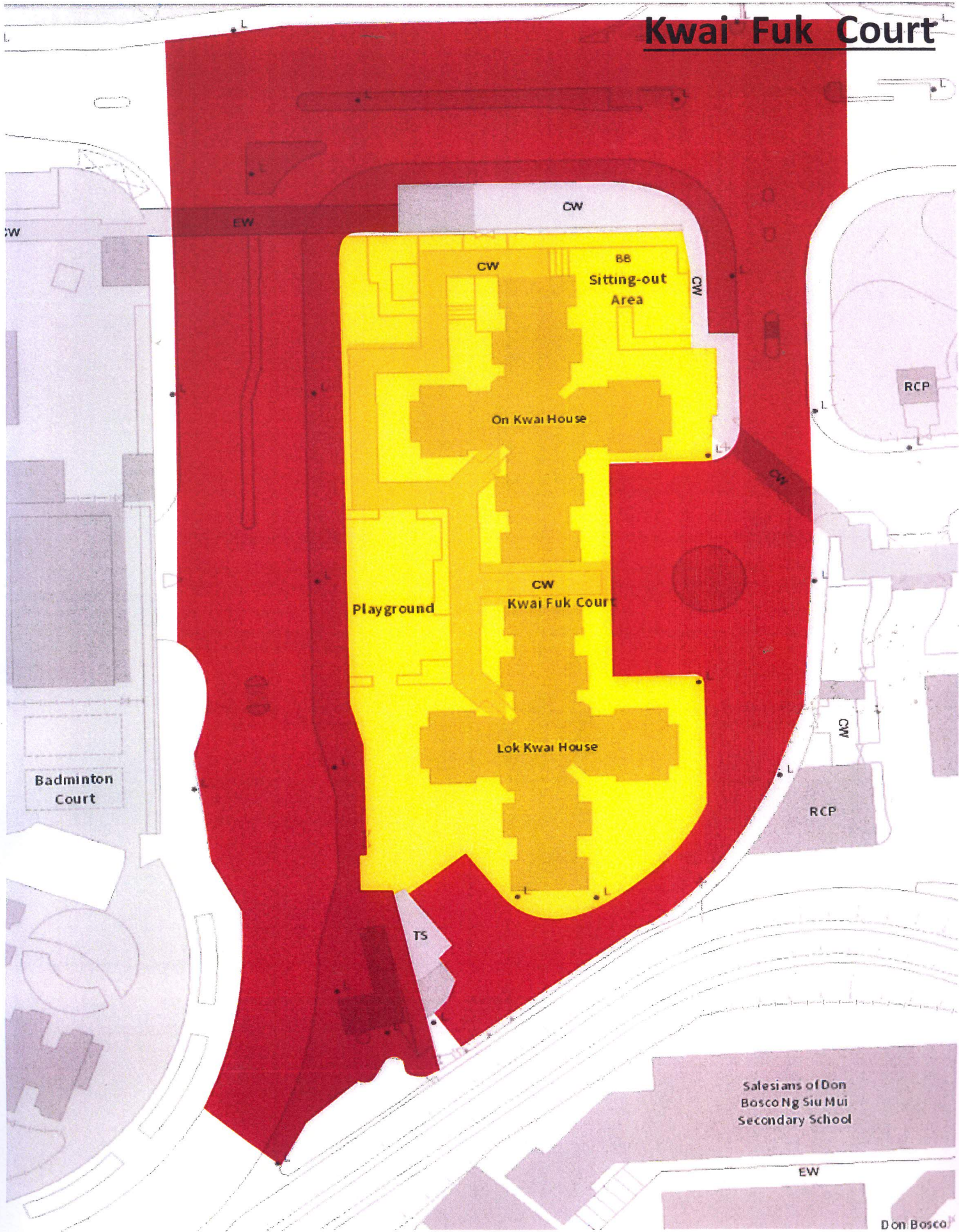
Yuen Long PMQ



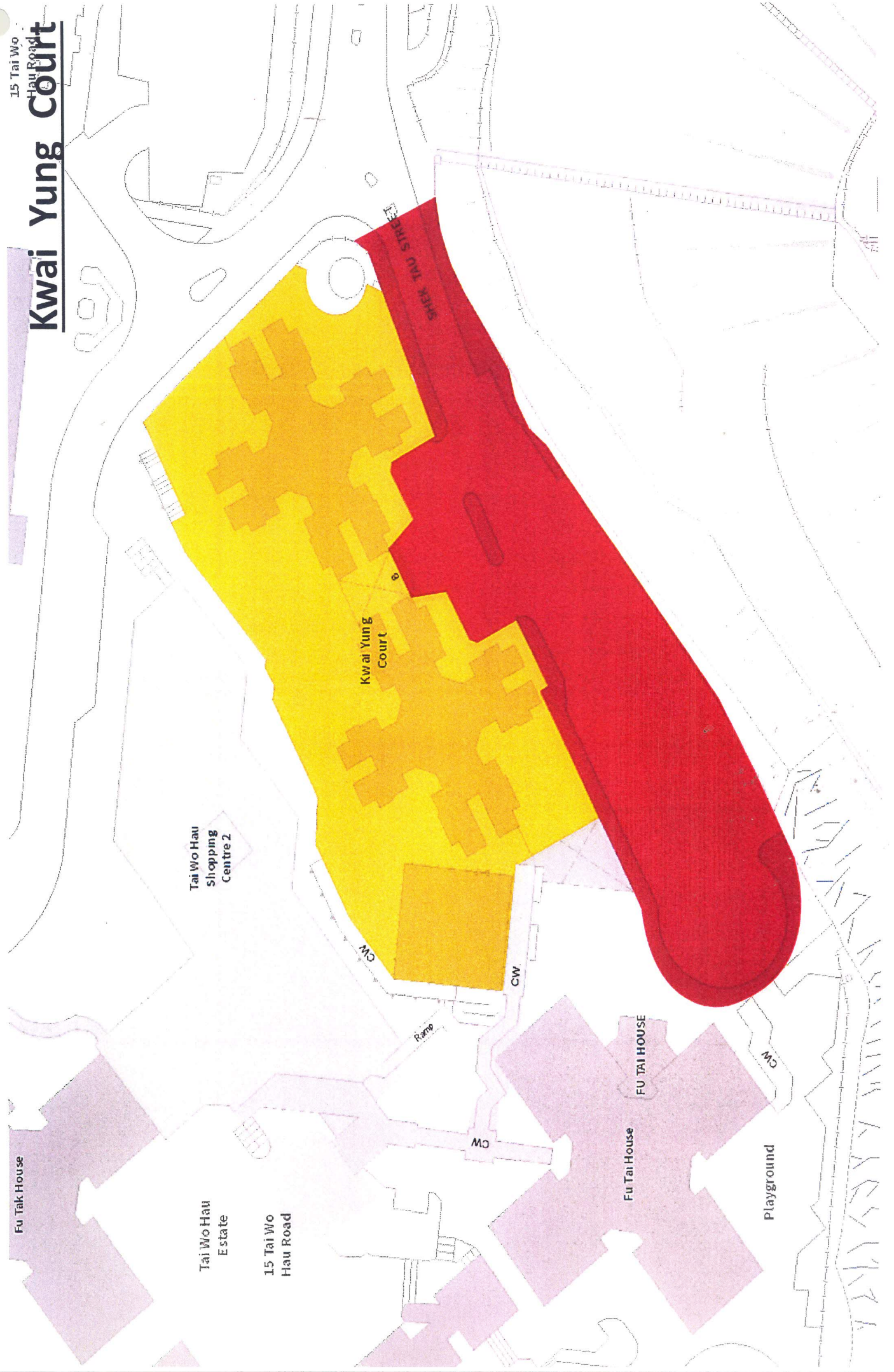
Fung Shing Street DSQ



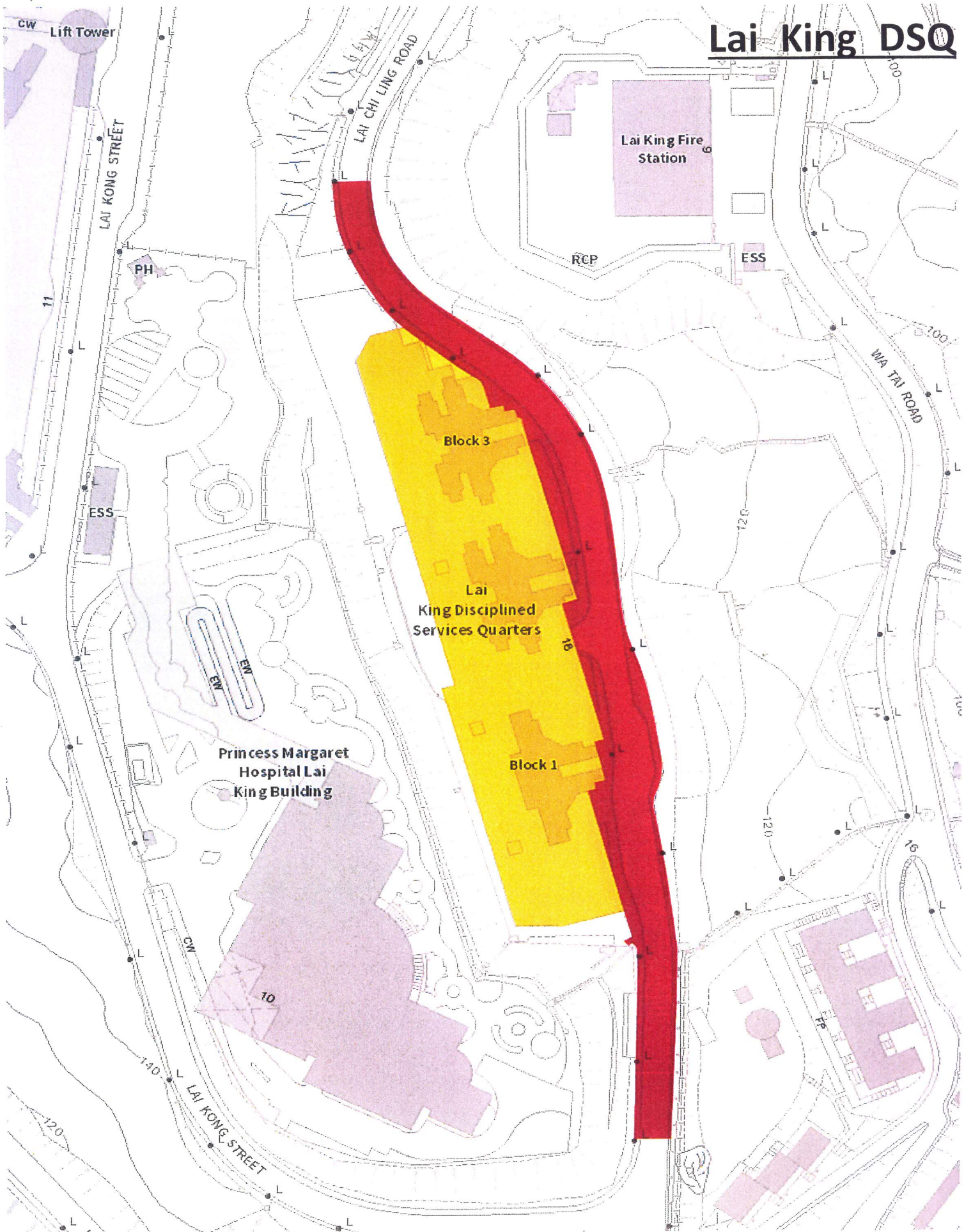
Kwai Fuk Court



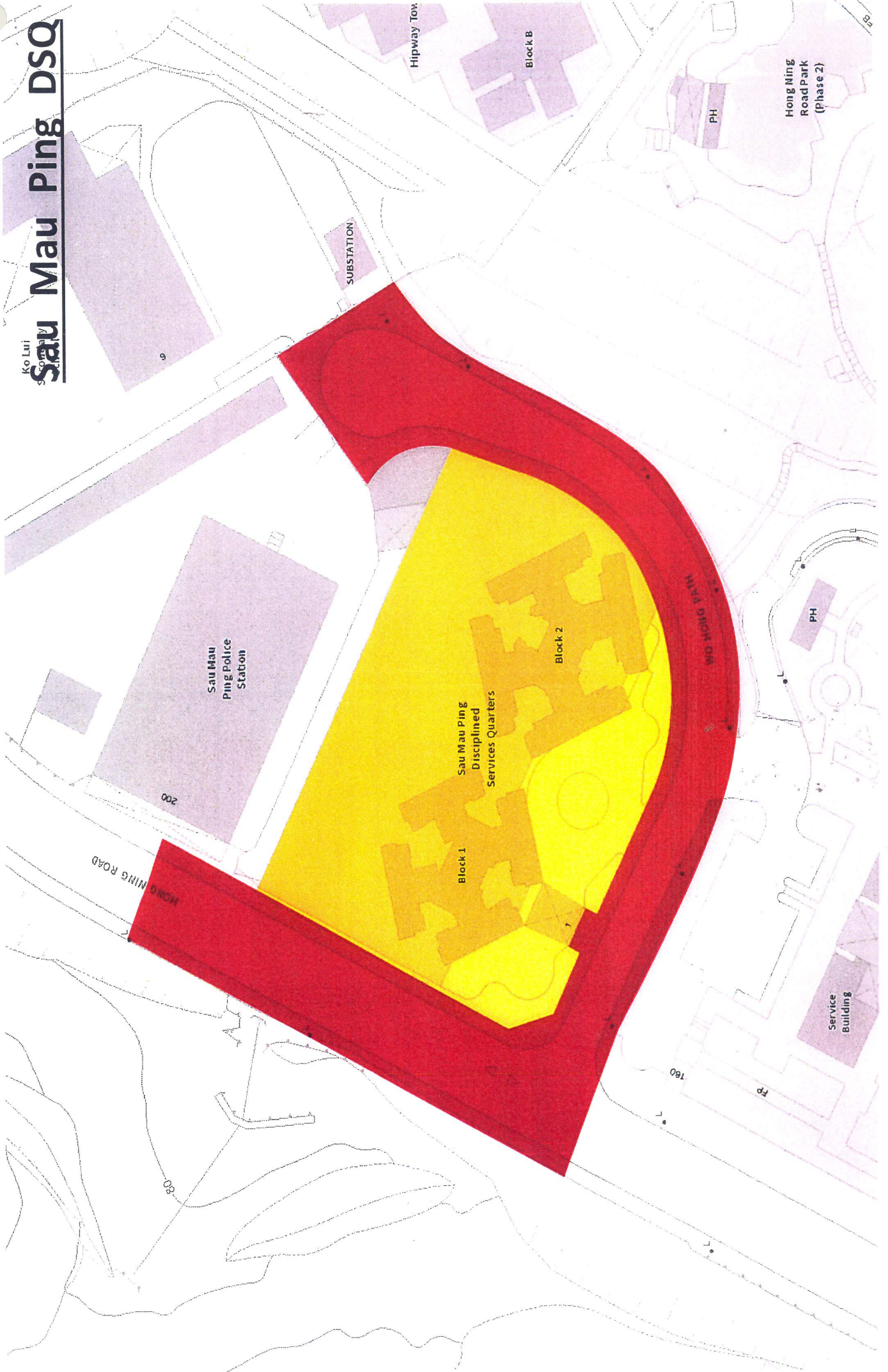
15 Tai Wo
Hau Road
Kwai Yung Court



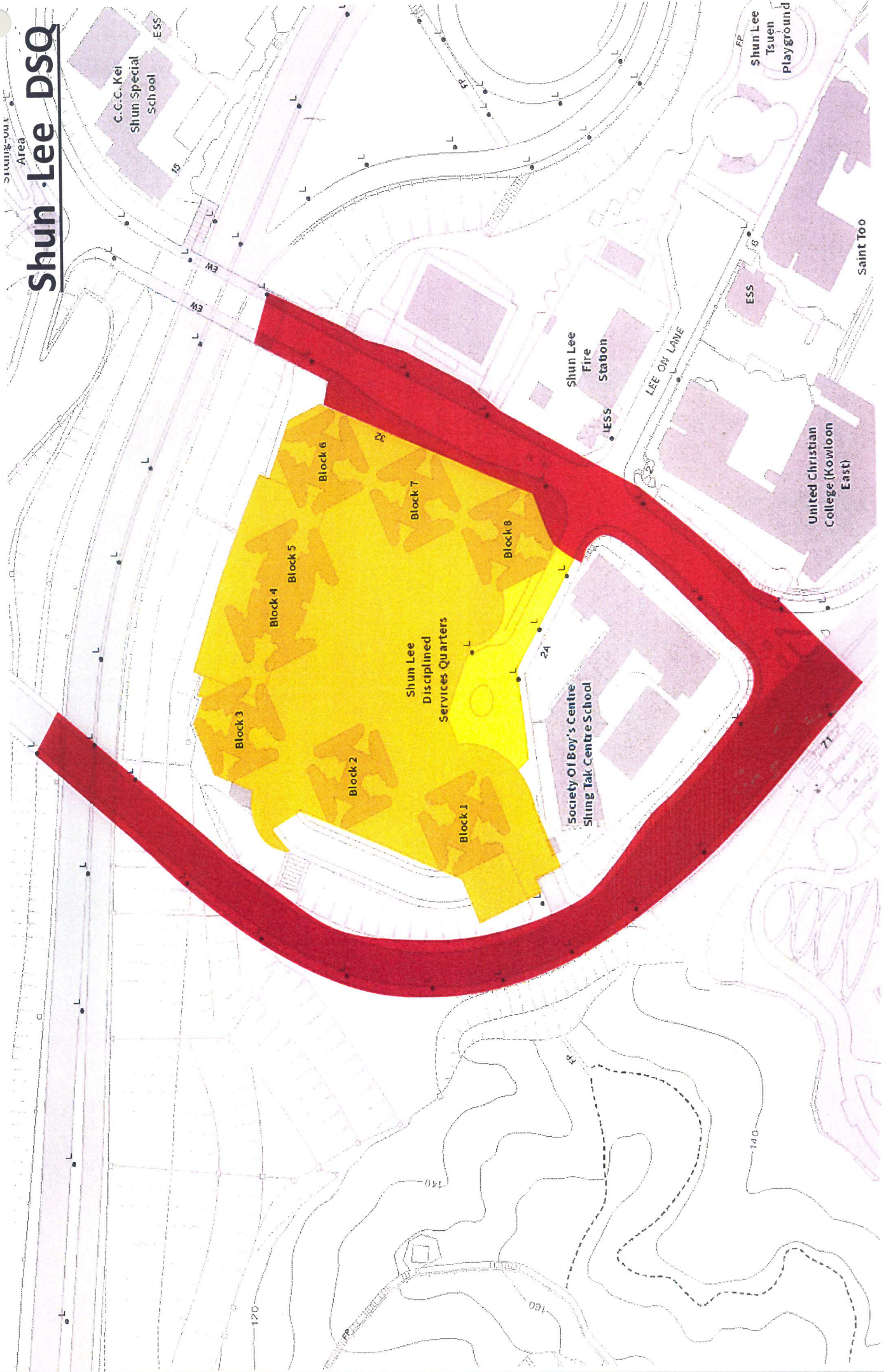
Lai King DSQ



Ko Lui
Specialist
Sau Mau Ping DSQ



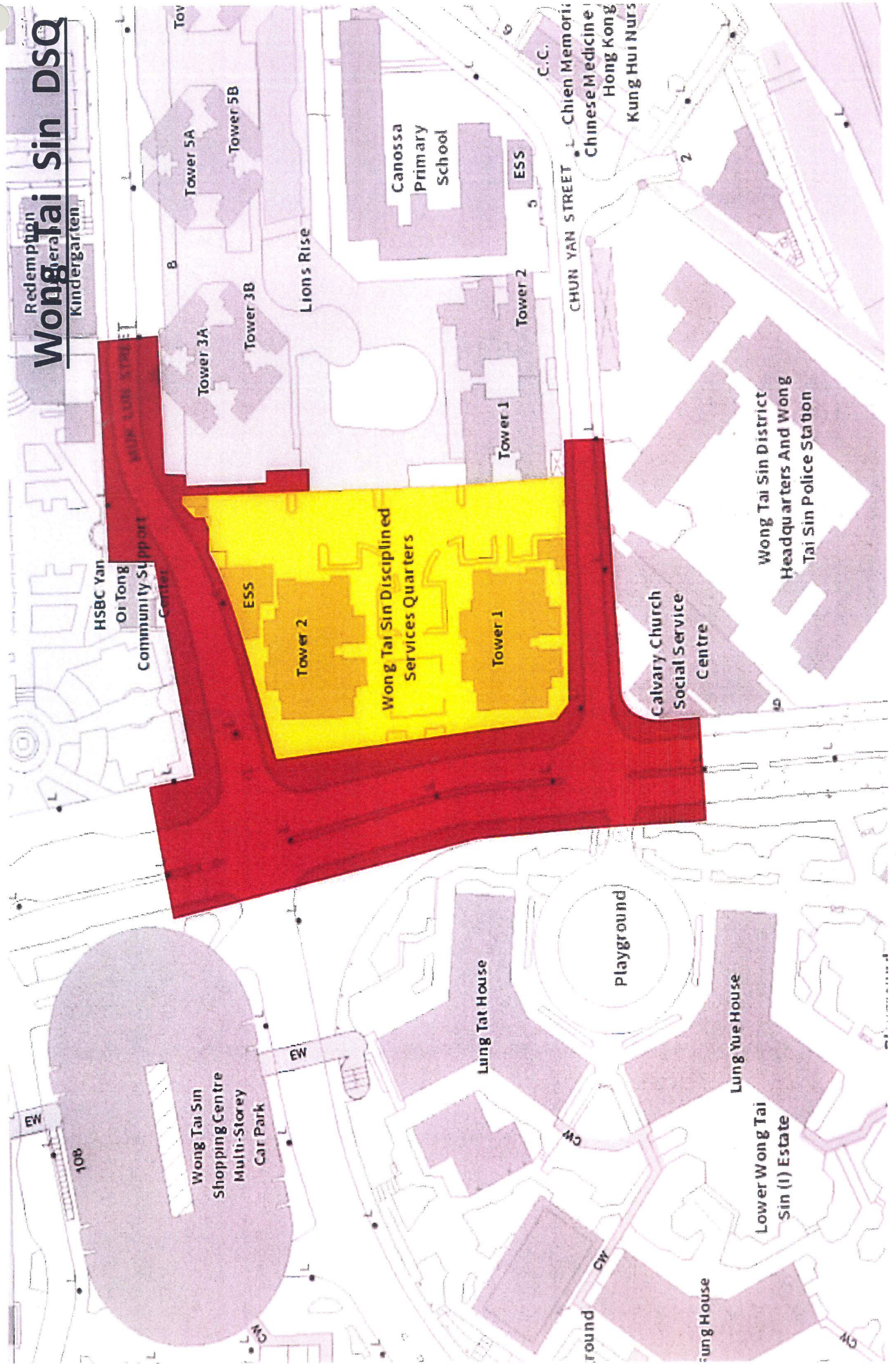
Shun Lee DSQ



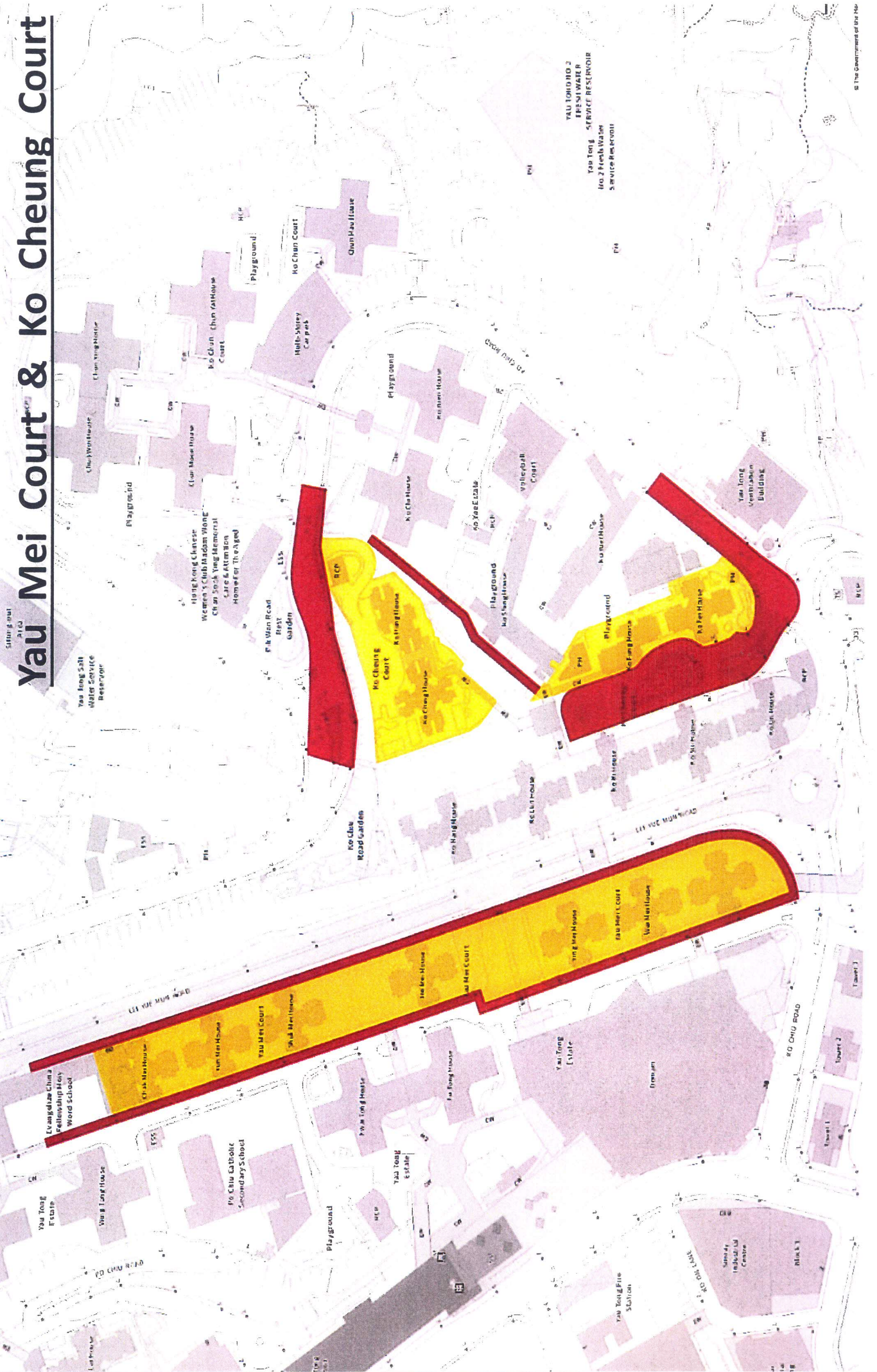
West Kowloon DSQ



Wong Tai Sin DSO



Yau Mei Court & Ko Cheung Court



Annex 2

Police Married Quarters (PMQs)

S/N	Quarters Name	Extension of the Enclosed Area
1	CASTLE PEAK GOVERNMENT QUARTERS	i) Leung Hong Lane ii) Section of San Fuk Road between Leung Shun Street and Tsing Chung Koon Road iii) Section of Tsing Chung Koon Road between San Fuk Road and LP FB6147
2	CHAI WAN PMQ*	i) Section of Tsui Wan Street leading to Chai Wan PMQ ii) Alley of Chai Wan PMQ up to LP 40844 iii) A section of Chai Wan Park adjacent to Chai Wan PMQ
3	OLD BAILEY STREET PMQ	i) Section of Old Bailey Street between Staunton Street and LP 21642 ii) Section of Stauton Street between Old Bailey Street and the alley of Old Bailey Street PMQ iii) Alley of Old Bailey Street PMQ
4	POLICE COLLEGE PMQ	Section of Police School Road between LP 36819 and LP 36824
5	SHEUNG SHUI PMQ	i) Wai Wo Street ii) Section of Po Wing Road between Wai Wo Street and cul-de-sac iii) Section of Cycling Track around the Sheung Shui PMQ and DSQ
6	TAI LAM CHUNG MARINE BASE (JPO)	Section of Ching Lai Road between Castle Peak Road (Tai Lam) and LP FB4417
7	TSING YI PMQ	Section of Tsing Yi Heung Sze Wui Road between LP W4109 and FC3534
8	TUEN MUN WU HONG POLICE QUARTERS	i) Section of Wu Hong Street between LP FA3042 and the alley of Tuen Mun Wu Hong PMQ ii) Alley of Tuen Mun Wu Hong PMQ iii) Section of pathway behind Tuen Mun Wu Hong PMQ between the alley of Tuen Mun Wu Hong PMQ and LP FA3049
9	WESTERN PMQ	i) Section of Des Voeux Road West between Western Street and LP 38345 ii) Section of Western Street between Des Voeux Road West and Queen's Road West iii) Section of Queen's Road West between Western Street and LP 34069 iv) Siu Cheung Fong
10	YUEN LONG PMQ	i) Section of Kau Yuk Road between Yuen Long Tai Yuk Road and Ping Lok Path ii) Section of Ping Lok Path between Kau Yuk Road and the alley of Yuen Long Police Station iii) Alley of Yuen Long Police Station

Disciplined Services Quarters (DSOs)

S/N	Quarters Name	Extension of the Enclosed Area
1	FUNG SHING STREET DSQ	Section of Fung Shing Street between LP AB0606 and LP CF2247
2	KO CHEUNG COURT	i) Section of Ko Chiu Road between LP E2540 and LP E2547 ii) Section of Ko Chiu Road between LP AB4651 and the vehicle entrance of Ko Cheung Court Car Park iii) Covered walkway of Ko Cheung Court
3	KWAI FUK COURT	i) Section of Sheung Kok Street between Tai Wo Hau Road and entrance of Kwai Fuk Court ii) Section of Tai Wo Hau Road between Sheung Kok Street and alley of Kwai Fuk Court Alley of Kwai Fuk Court iv) Area outside vehicle entrance of Kwai Fuk Court
4	KWAI YUNG COURT	Section of Shek Tau Street between LP FA6385 and cul-de-sac
5	LAI KING DSQ	Section of Lai Chi Ling Road between LP U7444 and LP U7519
6	SAU MAU PING DSQ	i) Section of Hong Ning Road between Wo Hong Path and LP E2133 ii) Wo Hong Path
7	SHEUNG SHUI DSQ	i) Wai Wo Street ii) Section of Po Wing Road between Wai Wo Street and cul-de-sac iii) Section of Cycling Track around the Sheung Shui PMQ and DSQ
8	SHUN LEE DSQ	i) Section of Lee On Road between New Clear Water Bay Road and LP K8436 ii) Section of New Clear Water Bay Road between Lee On Road and LP AB6211
9	WEST KOWLOON DSQ	i) Roundabout of Fuk Lee Street between LP AF2214 and AF2215 ii) Section of Sham Mong Road between LP BF2808 and LP BF3199
10	WONG TAI SIN DSQ	i) Section of Shatin Pass Road between LP AA6218 and LP AA6222 ii) Section of Muk Lun Street between Shatin Pass Road to LP AA4061 iii) Section of Chun Yan Street between Shatin Pass Road to LP AF0305
11	YAU MEI COURT	i) Section of Lei Yue Mun Road between the LP AA4576 and roundabout ii) Private Road of Yau Mei Court iii) Section of Ko Chiu Road between the roundabout of Lei Yue Mun Road and the private road of Yau Mei Court iv) Podium of Yau Mei Court

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. OF 2019

BETWEEN

SECRETARY FOR JUSTICE

Plaintiff

and

PERSONS UNLAWFULLY AND WILFULLY
OBSTRUCTING OCCUPYING OR
REMAINING ON OR HINDERING OR
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TO THE WRIT OF SUMMONS HEREIN

1st Defendants

PERSONS CAUSING DAMAGE TO OR
TRESPASSING OR INTERFERING WITH
THE USE AND ENJOYMENT OF THE
DISCIPLINED SERVICES QUARTERS AND
POLICE MARRIED QUARTERS LISTED IN
ANNEX 2 TO THE WRIT OF SUMMONS
HEREIN

2nd Defendants

WRIT OF SUMMONS

Issued this 14th day of October 2019

DEPARTMENT OF JUSTICE
6/F., Main Wing and East Wing, Justice Place
18 Lower Albert Road
Central, Hong Kong
Tel No.: 3918 4455
Fax No.: 3918 4525
(Ref.: HCA /19)