



THE MALAWI JUDICIARY

IN THE HIGH COURT OF MALAWI

PRINCIPAL REGISTRY

PERSONAL INJURY CAUSE NUMBER 387 OF 2013

Between

**TENNYSON LUHANGA (Minor suing through Joseph Luhanga, Next of Friend)
.....CLAIMANT**

-and-

THE ATTORNEY GENERAL DEFENDANT

CORAM: Austin Jesse Banda, Assistant Registrar

Mr. Mwangomba, for the Claimant

Mr. Maulidi, for the Defendant

Miss. M. Galafa, Clerk/ Official Interpreter

Banda

JUDGMENT ON ASSESSMENT OF DAMAGES

Background

This is the Court’s Judgment on assessment of damages. The assessment of damages is pursuant to a default Judgement entered against the Defendant by the Registrar, as the Defendant failed or neglected to serve and file a defence. The Claimant commenced this action against the Defendant on 18th April, 2013, claiming damages for pain and suffering, loss of amenities of life and compensation for breach of his constitutional right to liberty and dignity.

On 20th July 2011, the Claimant was playing with his friends about 100 metres from the main road at Chirimba within the city of Blantyre, during which officers of Malawi Police were chasing and shooting at people who were involved in a countrywide demonstration. One of the police officers, in breach of his constitutional duty to respect the right to life, negligently shot

