

Family gets to keep land it squatted on, Appeals court rules



They get to stay at Crane Road: Mr Teo Teck Lee, 39, (right) was born there. His sister-in-law and her children are now the only ones living there with his brother Mr Teo Teck Guan, who won the case yesterday. — Picture by AZIZ HUSSIN.

By Lim Li Hsién

A FAMILY of squatters occupying a 70-sq-m plot of land in Katong are now its legal owners, the Court of Appeal ruled yesterday, upholding a High Court decision.

The Teo family has been living in a zinc-roofed house on the land at 40A Crane Road since 1957.

The family went to court when it faced eviction in 1994 after developers Moulmein Development bought the land. The action was initiated by Mr Teo Teck Guan, 42, a sub-contractor, who had been living at 40A Crane Road since he was two years old.

The court heard that in 1957, Mr Teo's father, a carpenter, had started occupying the land by building a wooden zinc-roofed house on the then vacant site. He, his wife and ten children lived in the house.

The father died in 1968, but Mr Teo's mother, Madam Sin Yin Yong, remained in the house as head of the

family. She died in 1994.

The house is now occupied by Mr Teo, his wife and three children. His siblings had moved out when they got married.

When Moulmein Development tried to recover possession of the land in 1994, Mr Teo — in his own capacity as well as on behalf of his mother's estate — filed a suit in 1995 claiming ownership of the land under the

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law of adverse possession.

The law, repealed in 1994, had allowed anyone who had occupied someone else's land without permission for more than 12 years to become its owner.

The High Court had ruled in July that the disputed land belonged to Madam Sin's estate, as she was the head of the household before her death in 1994.

Moulmein Development appealed, arguing that the Teos did not see themselves as the owners of the land, and that they had also failed

to prove they occupied it to the exclusion of the owner and anyone else.

Mr Davinder Singh, acting for Moulmein, added that from 1957, the Teos recognised that another family, the Chngs, had a superior claim on the land. The Teo family paid them a monthly rent of \$25 then.

He said the Chngs, believed to have been squatters there too, had asked the Teos to leave in 1978, refusing to accept their rent.

Mr Teo was represented by Mr Khoo Boo Jin, who said all that was required was to prove that the Teo family had intended to possess the land, without the owners' permission.

The Teos had done this by living in their house from 1978 to 1990. Another sign of occupation was their installation of a modern sanitation system on the land in 1978.

The court — comprising Chief Justice Yong Pung How and Justices M. Karthigesu and L.P. Thean — dismissed Moulmein Development's appeal.