



IN THE HIGH COURT OF SOUTH AFRICA

(GAUTENG DIVISION, PRETORIA)

DELETE WHICHEVER IS NOT APPLICABLE

(1) REPORTABLE: NO.

(2) OF INTEREST TO OTHER JUDGES: NO.

(3) REVISED.

2023-05-10

DATE

SIGNATURE

Case Number: 90433/2018

In the matter between:

CITY OF TSHWANE METROPOLITAN

MUNICIPALITY

Applicant

and

MALVIGENIX NPC t/a WECANWIN

First Respondent

PIETER NICOLAAS GROBLER

Second Respondent

ANNA ELLISSABETH GROBLER

Third Respondent

ETHEL MARGARET COETZEE

Fourth Respondent

MARTHA MARGARETHA DU PLESIS

Fifth Respondent

JOHANNES JACOBUS LOMBARD

Sixth Respondent

RESEANE KAIZER HUMPHRY MAKOLE

Seventh Respondent

YVONNE GOOD

Eighth Respondent

LYNN EAST PROP (PTY) LTD	Ninth Respondent
DIANA EDIT GEORGIADES	Tenth Respondent
FREDIERIK JACKOBUS VAN DER SANDE	Eleventh Respondent
JEANNE LOUISE VAN DER SANDE	Twelfth Respondent
EDMOUR MARCHAND	Thirteenth Respondent
NADIA MARCHAND	Fourteenth Respondent
MARC RICHARD TRUMAN N.O.	Fifteenth Respondent
GREGORY JOHN BOUWER	Sixteenth Respondent
CORNELIA JOHANNA BOUWER	Seventeenth Respondent
CHARLES KGOMOTSO TSOKU	Eighteenth Respondent

JUDGMENT: APPLICATION FOR LEAVE TO APPEAL

POTTERILL J

- [1] I have listened to the parties and have read the papers. I think for compelling reasons, leave to appeal can be granted.
- [2] I pondered this. I think it is something that the Supreme Court of Appeal can look at so I will grant leave to appeal. I don't think the judgment was

necessarily wrong, but I think the subject matter attracts attention from a higher court.

- [3] The application for leave to appeal is granted to the Supreme Court of Appeal. Costs are to be costs in the appeal.

A handwritten signature in dark ink, appearing to read 'S. Potterill', written over a horizontal line.

S. POTTERILL
JUDGE OF THE HIGH COURT

CASE NO: 90433/2018

HEARD ON: 10 January 2023

FOR THE APPLICANT: ADV. T. STRYDOM SC

ADV. L. KOTZE

INSTRUCTED BY: Mothle Jooma Sabdia Incorporated

FOR THE RESPONDENT: ADV. N. FERREIRA

ADV. A. MOLVER

INSTRUCTED BY: Adams & Adams

DATE OF JUDGMENT: 10 January 2023

DATE OF JUDGMENT DISTRIBUTED TO PARTIES: 10 May 2023