

REPUBLIC OF SOUTH AFRICA



IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, JOHANNESBURG

Case Number: 2025/059821

(1)	REPORTABLE: YES/NO
(2)	OF INTEREST TO OTHER JUDGES: YES/NO
(3)	REVISED: YES/NO
DATE: 06/05/2025	
SIGNATURE	

In the matter between:

NEXGEN AGENCY NETWORK (PTY) LTD

Applicant

and

MIDOS LOGISTICS

First Respondents

MOTIVE LOGISTICS (PTY) LTD

Second Respondent

REDA ABDELNABY MAHROUS ELSHEILKH

Third Respondent

MAGISTRATE H VIANA

Fourth Respondent

CLERK OF THE COURT

Fifth Respondent

JUDGMENT

EPSTEIN AJ

1. This application has been brought in the Urgent Court of 6 May 2025. The matter has previously served before the Magistrate's Court and this Court.
2. The First and Second Respondents are represented by Advocate Kotze. The Applicant, which is not represented by an attorney or counsel, wishes to be represented by its CEO, Ms Govindsamy, who is the owner of 100% of the shares in the Applicant.
3. Ms Govindsamy is aware of the law relating to representation of juristic persons. Unless there are exceptional circumstances, a juristic person cannot be represented by someone who is not a practicing legal practitioner. Ms Govindsamy is not a practicing legal practitioner.
4. In her founding affidavit Ms Govindsamy states:

"The Applicant appreciates the value in appointing legal counsel and greatly respects the court rules. In this regard, however, given the degree of urgency and limitations due to time constraints, we are faced with two significant issues in appointing legal counsel and attorneys at this time.

A. The time period between the date of setting this matter down and the matter being heard is a minimum. Two to three days.

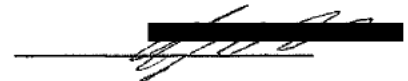
B. It is unreasonable for the Applicants to expect any legal counsel to be appointed on such short notice and to take on an application of this level of complexity and at the scrutiny of the urgent court and still expect a positive outcome.”

5. Ms Govindsamy informed the Court that her previous counsel withdrew on 28 April 2025 and the attorney withdrew the same day. That is just over a week ago. Ms Govindsamy says that she knows the facts of the matter and the time is too short to allow attorneys and advocates to prepare for this matter in the urgent court.

6. It seems that this matter has an extensive history of which both the Applicant and the Respondents are aware.

7. Whilst I have a discretion to allow non-practicing legal representatives to act on behalf of a company, I do not accept that there are exceptional circumstances in this matter. Furthermore, I would have expected a formal application for this with all the necessary details furnished. Insofar as the details have already been furnished to me, and on the submission that there has been limited time to prepare a matter of this nature, I do not accept that the reasons advanced constitute exceptional circumstances.

8. The order I make is that the matter is struck off the roll with costs.



EPSTEIN AJ

ACTING JUDGE OF THE HIGH COURT

JOHANNESBURG