

REPUBLIC OF SOUTH AFRICA



IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, PRETORIA

CASE NO.: 2025-163867

(1) REPORTABLE: NO
(2) OF INTEREST TO OTHER JUDGES: NO
(3) REVISED: NO

Date: 16 October 2025

E van der Schyff

In the matter between

RAYAL INDUSTRIAL PROPRIETARY LIMITED

APPLICANT

and

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

RESPONDENT

JUDGMENT

Van der Schyff J

- [1] The applicants approached the urgent court for interdictory relief on Friday 12 September 2025 after its electricity supply was terminated. The respondent filed a notice of intention to oppose. An interim interdict was granted and the respondent was ordered to reconnect the electricity supply in question, pending the finalization of the urgent application on 23 September 2025.

- [2] The respondent did not subsequently file any answering affidavit. The parties, however, reached a settlement on several aspects, save the issue of the costs of the application.
- [3] On 23 September 2025, the court was presented with a draft order. The parties agreed to the whole of the order, save the issue of costs. The applicant sought a costs order to be granted and the respondent sought costs to be reserved.
- [4] I granted the order in the terms agreed to, and in relation to costs, ordered that the respondent is ordered to pay the costs of the application. These costs were to include the costs of 12 and 23 September 2025 and counsel's costs on scale C.
- [5] A request for reasons for the costs order, dated 3 October 2025, was uploaded to the Caseline's file, and thus filed with the court, on 14 October 2025.
- [6] In considering the issue of costs, the court was only privy to the information set out in the applicant's founding affidavit. The applicant informed the court of the litigation history between the parties. The applicant drew the court's attention to existing court orders wherein the respondent was ordered, among others, not to terminate the applicant's power supply unless the applicant failed to pay its account to the respondent. The applicant further contended that it has always paid its electricity account as and when the same fell due.
- [7] A court order also exists wherein the respondent, who previously cut the applicants water supply, was instructed to reconnect the water supply to the applicant's premises pending the finalisation of an action instituted by the respondent against the applicant, and not to terminate same for as long as the applicant paid for its usage of water from then on. The applicant averred that it has faithfully been paying for its water consumption every month since the order was granted.
- [8] Despite this history, and the existence of the court orders indicated above, the respondent terminated the applicant's power supply on 11 September 2025 without any prior notice. This termination led to the urgent court application after the applicant attempted to reach out to the respondent to no avail.

- [9] There is only one version before the court. On the version before the court the respondent acted contrary to existing court orders when it cut the applicant's power supply. This version supported a finding that the applicant's costs be paid by the respondent.
- [10] In determining the scale of costs, I had regard to the history, the complexity and the urgency of the matter, as well as the applicant's counsel seniority.



E van der Schyff
Judge of the High Court

Delivered: This judgment is handed down electronically by uploading it to the electronic file of this matter on CaseLines. In the event that there is a discrepancy between the date the judgment is signed and the date it is uploaded to CaseLines, the date the judgment is uploaded to CaseLines is deemed to be the date that the judgment is handed down.

For the applicant:	Adv. SG Maritz SC
Instructed by:	Grosskopf Attorneys

For the respondent:	Adv. U Ahir
Instructed by:	Lawtons Africa Inc

Date of the hearing:	23 September 2025
Date of reasons:	16 October 2025