

IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, JOHANNESBURG

CASE NO: 084439/2024

DATE: 21-01-2026

DELETE WHICHEVER IS NOT APPLICABLE

(1) REPORTABLE: NO

(2) OF INTEREST TO OTHER JUDGES : NO

(3) REVISED



SIGNATURE

DATE: 21 January 2026

In the matter between

GIANT SIGNS (PTY) LTD

Applicant

and

CITY OF JOHANNESBURG

First Respondent

HYDE PARK CORNER (PTY) LTD

Second Respondent

J U D G M E N T E X T E M P O R E

WILSON, J: The applicant seeks to compel the second respondent to comply with a notice issued under rule 35 (12). The documents sought consist of an application and further supporting material made to the first respondent to move a property line. The location of the property line is material to the issues in the main application.

The application to compel was opposed by the second respondent on the basis that the decision to move the property line was made after the decision challenged in the main application was made and also after the main

application was instituted.

I put to Mr Kruger, who appeared for the second respondent, that even were that so, the fact of the change of the location of the property line and the material on which the decision to change the location of the property line was made might still be relevant to any just and equitable relief that might be granted if the decision challenged in the main application is reviewed and set aside.

Mr Kruger could not really gainsay that proposition and he made no submissions against it. I think that was a wise decision. It seems to me that the material that the applicant seeks is entirely relevant at least to the relief that might be ordered in the main application.

For all of those reasons there will be an order compelling compliance with the rule 35(12) notice. Ms Kabelo, who appeared for the applicant, rather adventurously asked for costs on scale C. She will have costs on scale A. A draft order has been handed up to me which I have amended. I shall endorse it on those terms. That order is signed and dated marked "X".



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WILSON, J
JUDGE OF THE HIGH COURT
21 January 2026