

IN THE HIGH COURT OF SOUTH AFRICAGAUTENG DIVISION, JOHANNESBURGCASE NO: 018492/26DATE: 30-01-2026

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



SIGNATURE

DATE: 30 January 2026

In the matter between

10 KAMOGELO MAGOJANE

Applicant

and

RAY PRODUCTIONS HUB LIMITED

First Respondent

MULTICHOICE (PTY) LTD

Second Respondent

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

WILSON, J: This application concerns a programme, apparently to be broadcast sometime this evening on DSTV, called "Real City Makotis". The applicant, Ms Magojane, appears, or is referred to, on that programme. She does not wish to be shown or referred to on the programme, and seeks relief restraining the broadcast insofar as it may portray or refer to her.

In her founding affidavit Ms Magojane admits that she signed a release with the producers of the programme,

that allowed the producers to use her image, to portray her, and to refer to her on the programme. She clearly regrets having done so. But she has laid no basis in her founding papers on which to resile from the release she signed.

On top of that, the courts will almost never grant an interdict in restraint of broadcast outside clear evidence that the broadcast will cause unlawful harm to any one of its subjects or to the public at large. The founding affidavit in this case does not come close to the allegation that
10 unlawful harm is going to be caused to the applicant if the broadcast is allowed to proceed.

I have read the founding affidavit that was emailed to me very carefully, and I appreciate that Ms Magojane may experience some distress when the broadcast takes place. I am in no way condoning the programme's editorial approach, or saying that the distress Ms. Magojane may experience is baseless or is in any way ungenuine. The fact of the matter is, though, that mere distress caused by a broadcast is not sufficient to enjoin it. A clear, and in this
20 case a particularly clear, legal right would have to be demonstrated. Ms Magojane has not demonstrated that right.

In any event, the application has been brought without notice to the respondents. The first respondent is Ray Productions Hub Limited, which produced the

programme. The second respondent is Multichoice, which intends to broadcast the programme. Prior restraints on broadcast or expression, without notice to the respondents, should almost never be granted. Certainly, in this case no basis is laid for imposing such a restraint without notice to the respondents.

For those reasons, the application is dismissed with each party paying their own costs.



WILSON, J
JUDGE OF THE HIGH COURT
30 January 2026

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