



**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, JOHANNESBURG**

Case 2026-032265

- 1. Reportable: No**
- 2. Of interest to other judges: No**
- 3. Revised**

WRIGHT J

4-3-26

In the matter between:

DAVID MASONDO

APPLICANT

and

RALEBALA MATONE MAMPUELE

RESPONDENT

JUDGMENT – WRIGHT J

- 1. The applicant, Mr Masondo, is the Chairman of the Board of the Public Investment Corporation and he is the Deputy Minister of Finance.**
- 2. The respondent, Mr Mampuele is a businessman who does or did business with the PIC.**

3. The business relationship between the PIC and Mr Mampuele has soured.
4. Mr Masondo has five prayers: 1) that the matter is heard, as the notice of motion puts it, semi-urgently, 2) a declarator that certain statements by Mr Mampuele are false and defamatory, 3) not a retraction but rather an order that Mr Mampuele send an email to the relevant recipients in which he admits that he was wrong and that the statements were made recklessly without verifying the true facts, 4) an interdict against Mr Mampuele from publishing defamatory material about Mr Masondo, 5) Costs on a punitive scale.
5. Relief is sought in final form.
6. On 9 January 2026, Mr Mampuele emailed the Public Protector. This email is annex FA 17 to the founding affidavit. Using the word “allegedly” throughout, Mr Mampuele accuses the Head of Legal at the PIC of misusing state funds and of taking bribes. The Head of Legal is accused of collaborating with Mr Masondo in so doing.
7. On the same day, Mr Mampuele forwarded the email to various persons in banks and business. Annex FA 19.
8. On 11 January 2026, an article appeared in a widely published newspaper in which a history of financial wrongdoing at the PIC is alleged. Mr Mampuele is referred to as the source of the allegations. Three senior persons at the PIC, but not Mr Masondo, are named. Annex FA 20. This publication makes no statement about Mr Masondo directly although it makes defamatory statements about the three senior persons and the PIC generally. In my view, the reasonable reader would associate the article with Mr Masondo given his high political profile and his being the Chairman of the PIC. The statement appears that “ The allegations of impropriety at the PIC are not improbable, given the fund’s history of being treated as a feeding trough. It’s poor investment performance has often been linked to empowerment deals for the politically connected. “
9. On 12 January 2026, Mr Mampuele sent an email to various recipients. FA 22. He referred to the newspaper article as set out in FA 20 and stated that “ the PIC is attempting to make hundreds of Millions from Black Entrepreneurs and benefiting few top politicians and executives within the biggest African

Pension Fund in Africa.” In my view, the reasonable reader would read this as a reference to Mr Masondo, if not also to others.

- 10. On 14 January 2026, an article was published in an online publication. FA 23. The article refers to Mr Masondo by name and by office. A prominent photo of him appears. The article refers to the Public Protector having received a complaint that Mr Masondo is improperly benefitting himself at public expense.**
- 11. On 19 January 2026 a podcast episode was published on Youtube. FA 24. The transcript is FA 25. Mr Mampuele was interviewed. Mr Mampuele says that the Mr Masondo was “ running a scheme “ and was “ part and parcel of bankrupting Limpopo Treasury “.**
- 12. Mr Mampuele denies every component part of the application. He says that the publications are not defamatory and that he is entitled to publish them. He says that Mr Masondo is a public figure.**
- 13. He states that the business relationship between him and the PIC went sour. A person at the PIC allegedly demanded a bribe from him.**
- 14. He says that the matter is widely covered in the media. He says that reporting corruption and crime is in the public interest.**
- 15. In my view, the publications are prima facie wrongful and defamatory of Mr Masondo in that they lower Mr Masondo in the eyes of ordinary, right thinking persons.**
- 16. The onus is on Mr Mampuele to plead and prove his principal defence of publication as true and in the public interest.**
- 17. These are motion proceedings for final relief. Such relief can only be granted where the facts stated by the respondent together with the admitted facts in the applicant’s affidavit justify the order. This applies irrespective of where the onus lies. See Reddy v Siemens Telecommunications (Pty) Ltd [2006] SCA 164 at paragraph 4.**
- 18. I need to separate two things. On one hand, Mr Mampuele can’t be stopped from reporting alleged crime to the proper authorities like the Public Protector and the SAPS.**

19. On the other hand, it cannot be held that continued publication to any person other than the above mentioned authorities is in the public interest.
20. The weak point in Mr Mampuele's case is that he provides no evidence to prove his allegations. There are no real disputes of fact.
21. Mr Mampuele was asked to desist. He did not and he repeated his point of view in his answering affidavit. Punitive costs follow.
22. Mr Maenetje SC for Mr Masondo handed up a draft order. I amended it to allow for the change reflecting that Mr Mampuele can't be interdicted from approaching the Public Protector or the SAPS.
23. When Mr Allison, for Mr Mampuele began his address he handed to me a draft order, which he said could be an interim solution. The draft provided for an interim interdict against Mr Mampuele pending the outcome of an action to be instituted by Mr Masondo. Mr Maenetje rejected the suggestion, saying that Mr Masondo had no intention of instituting action. I do not infer against Mr Mampuele any inference of liability.

ORDER

X as amended



WRIGHT J

HEARD 4 March 2026

DELIVERED 4 March 2026

APPEARANCES :

APPLICANT Adv N Maenetje SC

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IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG LOCAL DIVISION, JOHANNESBURG)

CASE NO 2026-032265

In the matter between:

DAVID MASONDO

and

RALEBALA MATONE MAMPEULA

Applicant

Respondent

DRAFT ORDER

HAVING read the papers filed of record, heard counsel for the applicant and considered the matter:

IT IS ORDERED THAT:

1. The application is enrolled as an urgent application in terms of Rule 6(12) of the Uniform Rules of Court, and the ordinary rules relating to service and filing are dispensed with.
2. The allegations made about the applicant by the respondent in annexure "FA17", "FA19", "FA20", "FA22", "FA23", "FA24" and "FA25" to the founding affidavit are defamatory and false.
3. Within 24 hours of this order, the respondent is directed to deliver the following statement to the multiple recipients to whom he sent the emails attached to the founding affidavit as annex "FA17" and "FA19":

3.1 *"Between 9 January 2026 and 19 January 2026, I made allegations regarding Dr David Maseondo, Chairman of the Board of the Public Investment Corporation SOC Ltd, and the Deputy Minister of Finance in the Executive Cabinet of the Republic of South Africa. I made the allegations through a series of emails, in an article published by MDNTV and through a podcast episode published on YouTube. These allegations I levelled against Dr Maseondo (and impugning the Public Investment Corporation SOC Ltd and certain senior executives of the PIC) are false and were made recklessly by me without verifying the true facts."*

4. The respondent is interdicted from making, publishing or causing the publication or the making of any defamatory and/or injurious allegations of corruption, bribery and unethical business activities by the applicant or any other statements including those that suggest that the applicant is implicated in corruption, bribery and unethical business activities, *other than to the Public Protector and the SARS.*
5. The respondent is ordered to pay the costs of this application including the costs of two counsel on the attorney and client scale.

BY ORDER OF THE COURT

REGISTRAR

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