

IN THE HIGH COURT OF SOUTH AFRICAGAUTENG DIVISION, JOHANNESBURGCASE NO: 126216/2026DATE: 09-06-2026

10

In the matter between

DTN

Applicant

and

DSMS

Respondent

DELETE WHICHEVER IS NOT APPLICABLE
 (1) REPORTABLE: NO
 (2) OF INTEREST TO OTHER JUDGES : / NO
 (3) REVISED



SIGNATURE

DATE: 9 June 2026

J U D G M E N T *EX TEMPORE*

WILSON, J: This is an application brought *ex parte* in
 20 urgent court for an interim restraint against the respondent,
 interdicting her from contacting the applicant or his wife in
 any way whatsoever.

It is admitted on the papers that the respondent is the
 applicant's ex-lover. The respondent appears to be
 pregnant and says that the applicant is the father of the

child. She has sent a large number of intemperate and emotional messages to the first applicant based on what seems to have been the very messy ending of their relationship and her beliefs about the paternity of the child.

It is difficult to detect in any of the messages any real physical threat, either to the applicant or to his wife. Properly evaluated, the messages are no more than the angry, hurt musings of someone who feels that she has been let down by her ex-lover.

10 I am confident that this is the correct conclusion, not only because I have read the messages, but also because the applicant has already approached a magistrate for interim relief in terms of the protection from Harassment Act or the Domestic Violence Act (it is not clear on this papers which legislation was engaged). The magistrate declined to provide interim relief. That seems to me to be a good indication, together with the text of the messages themselves, that the applicant's fears are somewhat overblown.

20 There is, in any event, a return day in terms of the interim protection proceedings, which comes up next week. In those proceedings, the magistrate will be asked again to provide such relief as they consider appropriate. There is no basis whatsoever set out on the papers that would justify my interference midstream with proceedings that have

already been taken in the magistrate's court. Still less has a basis been laid for my interfering with that process without notice to the respondent.

I am not satisfied that the relief now sought should be granted, nor am I satisfied that there was any basis to bring this application *ex parte*. The practice in this division, when a court refuses to grant relief on an application brought *ex parte*, is to dismiss the application. That is what I intend to do.

10 For all those reasons, the application is dismissed.

A black rectangular redaction box covers the signature of the judge.

WILSON J
JUDGE OF THE HIGH COURT
9 June 2026

