

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

Case No: 2025-203648

Date: 30.06.2026

DELETE WHICHEVER IS NOT APPLICABLE (1) REPORTABLE: YES / NO (2) OF INTEREST TO OTHER JUDGES: YES / NO (3) REVISED SIGNATURE: ... <i>RJ Moultrie</i> ...

In the matter between:

NALEDZANI JUSTIN RALUTANDA

Applicant

10 and

DIRECTOR OF PUBLIC PROSECUTIONS

Respondent

J U D G M E N T (*Ex Tempore*)

MOULTRIE J:

The applicant appears in person before me in the unopposed motion court having been requisitioned from prison where he is serving life imprisonment, having been sentenced by a judge of this court on 3 September 2010. He launched an
20 appeal, which was dismissed.

In the current application, the applicant seeks an order reviewing his sentence, ostensibly under Rule 53 of the High Court Rules (which governs “proceedings to bring under review the decision or proceedings of any lower court and of any tribunal, board or officer performing judicial, quasi-judicial or administrative functions”) on the grounds that there was a gross irregularity in the sentencing proceedings before the High

court.

I have carefully considered the authorities referred to by the applicant during the course of argument. It is patently apparent that section 22 of the Superior Courts Act, 10 of 2013 is inapplicable, as it sets out the grounds for the review of the proceedings of a Magistrates' Court, which is not the case here. I can also discern nothing in the judgment of Satchwell J in *Taunyane v S* [2016] ZAGPJHC 308 that would give me the authority or power to grant an order of the nature sought. I was
10 not referred to, nor am I aware of, any authority for the proposition that a Court (and particularly a single judge of the High Court) is clothed with the power or authority to grant the relief sought

It is apparent to me (despite the absence of any opposition and without reaching any final conclusions as to whether it was properly served on the respondent) that the application falls to be dismissed as it is entirely misconceived. Indeed, the applicant informed me during the hearing that he launched it when he "saw an opportunity" upon the advent of
20 electronic filing via Court Online, some 16 years after his sentencing. I therefore grant the following order:

The application is dismissed.

MOULTRIE J
JUDGE OF THE HIGH COURT, JOHANNESBURG

Date heard and decided: 30 June 2026

For the Applicant: In person

For the Respondent: No appearance