

REPUBLIC OF SOUTH AFRICA



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

Case Number: 2024-032887

- 1. Reportable: No
- 2. Of interest to other judges: No
- 3. Revised [REDACTED]

WRIGHT J

19 August 2026

In the matter between:

SAKHUMZI JUBASE

PLAINTIFF

and

MINISTER OF JUSTICE AND CORRECTIONAL SERVICES

DEFENDANT

JUDGMENT

WRIGHT J

1. The plaintiff, Mr Jubase, in these claims for damages takes the preliminary point that advocate M Ndluli, who appears for the defendant, instructed by the State Attorney is not validly appointed because of alleged non-compliance with procurement requirements. I dismissed the point as without substance. Ms Ndluli had stated that she appeared for the defendant as instructed by the State Attorney.
2. The trial could not proceed as:
 - 2.1. There has been no mediation.
 - 2.2. Rule 18(10) of the Uniform Rules, which requires that claims for damages be set out in reasonably sufficient detail to enable the defendant to assess the quantum thereof has not been complied with.
 - 2.3. The summons is difficult to read and appears to be clearly excipiable.
 - 2.4. The record of the proceedings in the Magistrate's Court in which Mr Jubase was convicted of culpable homicide and sentenced to a term of imprisonment is not presently available.
 - 2.5. A special plea relating to non-compliance with statutory notice requirements is not itself ready to be heard.
 - 2.6. Two other related actions against the Minister of Police and the National Prosecuting Authority are apparently coming up for trial and almost certainly need to be consolidated with the present action.

ORDER

1. Removed, costs reserved.
2. Witnesses subpoenaed are excused.

WRIGHT J

Heard 19 August 2026

Delivered 19 August 2026

Appearances

Plaintiff Mr Jubase Sakhumzi
directme58@outlook.com
050 055 3230

Defendant Adv M Nduli
Instructed by State attorney
mkhampha@justice.gov.za