



**IN THE HIGH COURT OF SOUTH AFRICA**  
**(NORTH WEST DIVISION, MAHIKENG)**

CASE NO: UM 09/2023

Held at MMABATHO on this the 26<sup>th</sup> day of JANUARY 2023  
BEFORE the Honourable Madam Justice MFENYANA AJ

In the matter between:

TWIN CITY TRADING (PTY) LTD 1<sup>st</sup> Applicant  
(REGISTRATION NUMBER: 2010/008015/07)

NJW BUILDING (PTY) LTD 2<sup>nd</sup> Applicant  
(REGISTRATION NUMBER: 2021/527079/07)

And

VUYISWA RHODA MORAKILE 1<sup>st</sup> Respondent  
(IDENTITY NUMBER: 740627 0557 08 7)

ITUMELENG ANDREW BABEILE 2<sup>nd</sup> Respondent  
(Identity number: 790606 5390 08 1)

MMOLOKI ADMILIA KITSO 3<sup>rd</sup> Respondent

UNLAWFUL PERSONS THREATENING, ASSAULTING, 4<sup>th</sup> Respondent  
INTIMIDATING THE APPLICANTS' EMPLOYEES,  
CONTRACTORS AND/OR PREVENTING THEM  
FROM GAINING ACCESS TO AND/OR CONDUCTING  
CONSTRUCTION WORKS AT ERF 5146  
(A PORTION OF ERF 2098) HUHUDI SITUATED  
IN NALEDI LOCAL MUNICIPALITY,  
REGISTRATION DIVISION I.N., PROVINCE OF NORTH WEST

THE SOUTH AFRICAN POLICE SERVICE 5<sup>th</sup> Respondent  
STATION COMMANDER: VRYBURG

THE SOUTH AFRICAN POLICE SERVICE 6<sup>th</sup> Respondent  
STATION COMMANDER: HUHUDI

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HAVING HEARD ADV VENTER on behalf of the Applicants and having read the  
Notice of Motion and other documents filed of record;

**IT IS ORDERED**

1. THAT: The matter be and is hereby found to be urgent.
2. THAT: The First to the Fourth Respondents are interdicted from:
  - 2.1. Trespassing upon the First Applicant's property, Erf 5146 (a portion of Erf 2098) Huhudi situated in Naledi Local Municipality, Registration Division I.N., Province of North West ("the subject property");
  - 2.2. Intimidating, harassing and/or threatening the Applicants, Applicants' employees or Applicants' contractors in any manner whatsoever;
  - 2.3. Assaulting the Applicants, Applicants' employees or Applicants' contractors in any manner whatsoever;
  - 2.4. In any way whatsoever hampering or frustrating construction activities on the subject property.
  - 2.5. Causing any damage whatsoever to the Applicants or the Applicants' contractors' property, vehicles, machinery, equipment and/or tools;
  - 2.6. Causing any damage to the fence and walls surrounding to subject property or any of the constructions works on the subject property;
  - 2.7. Confiscating any of the Applicants' or the Applicants' contractors' property, vehicles, machinery, equipment and/or tools;
  - 2.8. Blocking or restricting access to any entrances or access roads to the subject property any way whatsoever;
  - 2.9. Enticing members of the community to resort to violence and disrupt the construction activities on the subject property;
  - 2.10. Gathering closer than 100m from the boundary of the subject property;
3. THAT: A mandamus is issued against the Fifth and Sixth Respondents ("the SAPS") to implement and enforce the contents of paragraph 2 above against the First to the Fourth Respondents, with the assistance, if required, of the security companies employed or to be employed by the Applicants and arresting and detaining any person acting in contravention of paragraph 2 above;

4. THAT: The First to the Fourth Respondents are ordered to pay the costs of the application on the scale as between attorney and client, jointly and severally, the one paying, the others to be absolved.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA  
NORTH WEST DIVISION,  
WINDHOEK

Private Bag X2010, Mmabatho 2735

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REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA  
NORTH WEST DIVISION,  
WINDHOEK

BY THE COURT  
REGISTRAR OF HIGH COURT  
NORTH WEST HIGH COURT  
WINDHOEK



REGISTRAR

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