

LOCAL MUNICIPALITY / MASEPALA WA SELEGAE / PLAASLIKE MUNISIPALITEIT



NALEDI

MARKET STREET/MMILA WA MARKET/MARKSTRAAT 19A
P.O. BOX / LEBOKOSE POSE / POSBUS 35
VRYBURG
8600

TELEPHONE/MOGALA/TELEFOON (053) 928-2199 / 2200

FAX / FEKESSE / FAKS (053) 927 3482

Ref. No.
No.
Verw. Nr.
31 JANUARY 2023

Enquiries
Dipotsiso Cllr. H van Huyssteen
Navrae

**FOR ATTENTION: MR. MONGALE
ACTING MUNICIPAL MANAGER
OFFICE OF THE MUNICIPAL MANAGER
NALEDI LOCAL MUNICIPALITY**

**FOR ATTENTION: CLLR. GROEP
OFFICE OF THE MAYOR
NALEDI LOCAL MUNICIPALITY**

**FOR ATTENTION: MR. BUTJIE
OFFICE OF THE LEGAL ADVISOR
NALEDI LOCAL MUNICIPALITY**

Dear Sirs

RE: TWIN CITY TRADING (PTY) LTD / MORAKILE VUYISWA RHODA & FIVE OTHERS – CASE NR-UM09/2023

The above matter refers. I confirm that it has been brought to my attention that the office of the Acting Municipal Manager has instructed the offices of Morathi & Mataka Incorporated to enter the following matter as a party: TWIN CITY TRADING (PTY) LTD / MORAKILE VUYISWA RHODA & FIVE OTHERS – CASE NR-UM09/23. A copy of the order under this case number dated 26 January 2023 is annexed hereto.

It has been practice that all litigious matters are referred to Council for a decision whether to litigate or not. No such item has served before either my portfolio or Council, and consequently no authorizing resolution was taken by Council. Kindly provide written reasons as to how this decision by yourself was informed, as same carries the risk of financial cost to this institution. It is requested that you provide such written reasons as a matter of urgency to myself and the Office of the Mayor **on/before Friday, 03 February 2023.**


I trust you find this in order and thank you for your urgent response herein.

Yours faithfully

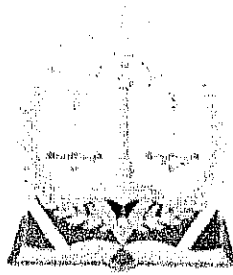


CLLR. H VAN HUYSSTEEN
MEC: FINANCE AND CORPORATE SERVICES
WARD COUNCILLOR: WARD 7

Received By: MG Buthe
M. Buthe 31/01/2023

Received By: Debra Mahur
 31/01/2023
14438

Received By: Karabo Tauwe
kae 31/01/2023
14443



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

CASE NO: UM 09/2023

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

In the matter between:

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

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

And

VUYISWA RHODA MORAKILE 1st Respondent
(IDENTITY NUMBER: 740627 0557 08 7)

ITUMELENG ANDREW BABELILE 2nd Respondent
(Identity number: 790606 5390 08 1)

MMOLOKI ADMILIA KITSO 3rd Respondent

UNLAWFUL PERSONS THREATENING, ASSAULTING,
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 4th Respondent

THE SOUTH AFRICAN POLICE SERVICE 5th Respondent
STATION COMMANDER: VRYBURG

THE SOUTH AFRICAN POLICE SERVICE 6th Respondent
STATION COMMANDER: HUHUDI

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.

Printed Name of Party, Date of Order - 15

2013

NW-000-000

BY THE COURT
REGISTRAR OF HIGH COURT
NORTH WEST HIGH COURT
LIMPOPO
[Signature]
REGISTRAR

L Att