

**IN THE HIGH COURT OF SOUTH AFRICA
KWAZULU – NATAL LOCAL DIVISION, DURBAN**

BEFORE THE HONOURABLE MR JUSTICE PITMAN

DURBAN: WEDNESDAY 10 DECEMBER 2025

CASE NO. 2025-235254

In the matter between:

THE DEMOCRATIC ALLIANCE

Applicant

and

THE ETHEKWINI MUNICIPAL COUNCIL

First Respondent

**THE MAYOR OF THE ETHEKWINI
MUNICIPALITY**

Second Respondent

**THE MUNICIPAL MANAGER OF THE
ETHEKWINI MUNICIPALITY**

Third Respondent

LINDOKHULE MKHIZE

Fourth Respondent

CYRIL BHEKINKOSI MKHIZE

Fifth Respondent

EDNICK MSWELI

Sixth Respondent

**KWAZULU-NATAL MEC FOR CO-OPERATIVE
GOVERNANCE AND TRADITIONAL AFFAIRS**

Seventh Respondent

DRAFT ORDER

BY AGREEMENT BETWEEN THE PARTIES, it is ordered that:

1. It is recorded that the parties will approach the Judge President for an allocation of the matter, and that counsel are available for a hearing of the matter on 18, 19 and 20 February 2026.
2. The respondents shall file a record in terms of rule 53 of the Uniform Rules of Court in part B on or before **MONDAY 29 DECEMBER 2025**.

3. The applicant shall file its supplementary founding affidavit on or before FRIDAY 9 JANUARY 2026.
4. The respondents shall file their answering affidavits on or before FRIDAY 23 JANUARY 2026.
5. The applicant shall file its replying affidavit on or before MONDAY 26 JANUARY 2026.
6. The applicant shall file its heads of argument on or before MONDAY 2 FEBRUARY 2026.
7. The respondents shall file their heads of argument on before FRIDAY 13 FEBRUARY 2026.
8. It is recorded that the applicant will not seek the the determination of the relief sought in part A of its application.
9. The costs of part A of the application shall stand over for later determination in part B.

BY ORDER OF COURT

COURT REGISTRAR