



**IN THE HIGH COURT OF SOUTH AFRICA  
FREE STATE DIVISION, BLOEMFONTEIN**

**Case No: 1516/2024**

Before the Honourable Acting Judge **AS BOONZAAIER**

On the 13<sup>th</sup> day of JUNE 2024

In the matter between:

**TOKOLOGO LOCAL MUNICIPALITY**

**Applicant**

and

**DESLEY GUMEDE**

**1<sup>st</sup> Respondent**

**ALL UNLAWFUL OCCUPIERS AND INTENDED UNLAWFUL  
OCCUPIERS ON IMMOVABLE PROPERTY OF TOKOLOGO  
LOCAL MUNICIPALITY**

**2<sup>nd</sup> Respondent**

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Having considered the documents filed of record and having heard the legal practitioner/s,

**IT IS ORDERED THAT:**

1. The rule nisi issued on 19 March 2024 and amended on 20 March 2024 is confirmed, thus:
  - 1.1 The Respondents are interdicted and restrained from erecting any homes and/or abodes and/or dwellings or other structures on properties in Boshoff, specifically:
    - 1.1.1 The area adjacent to the S298 road to Petrusburg, also known as the remaining portion of the Seretse Extension 1 Township held by Certificate of Registered Title T5634/1992;
    - 1.1.2 The area adjacent to the R64 road to Bloemfontein, also located on the remaining portion of the Seretse Extension 1 Township held by Certificate of Registered Title T5634/1992; and
    - 1.1.3 The other area adjacent to the R64 road to Bloemfontein also located on the remaining portion of the Seretse Extension 1 Township held by Certificate of Registered Title T5634/1992.

- 1.2 The Respondents are interdicted and restrained from taking occupation of and/or occupying or inhabiting any home and/or dwelling and/or abode and/or shack and/or other structure which might be erected on the land or any portion thereof;
- 1.3 The Respondents are prohibited from conducting any activity whatsoever on the land, which is aimed directly or indirectly at establishing a home and/or dwelling and/or abode or other structure on the land;
- 1.4 Any person forming part of the Respondent who might have taken occupation of any home, dwelling, abode, shack and/or structure on the land be immediately evicted therefrom;
- 1.5 Respondents shall demolish and remove any structure it may have erected on the land;
- 1.6 That should such person who might have taken occupation of any structure not immediately vacate same together with all his/her belongings; and
- 1.7 To demolish and remove such structure by not later than 12H00 on **18 July 2024**, the Sheriff for the district of Boshoff, assisted by the SAPS if necessary, is authorised and ordered to evict such Respondent from such structure and to demolish and remove same.

**BY ORDER OF THIS COURT**

**COURT REGISTRAR**

**PONOANE ATTORNEYS  
IN PERSON &  
LEGAL AID SOUTH AFRICA**

2024 -06- 14

FSD-2FT-204