



**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 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 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-004