

Date: 29 September 2026
Our Ref: H Govender/Amisha
Your Ref:

DEMOCRATIC ALLIANCE

By email: headoffice@da.org.za ;
info@da.org.za ;
reception@dakzn.org.za

URGENT

Dear Sirs,

LETTER OF DEMAND

1. On Monday, 28 September 2026, your DA eThekwini Mayoral Candidate, Mr. Haniff Hoosen ("Hoosen"), unveiled a billboard alongside the N2 motorway in the greater Durban area.
2. Photographs of the current incumbents of the eThekwini Municipality, namely eThekwini Mayor (Cyril Xaba), eThekwini City Manager (Musa Mbhele), and eThekwini Executive Director: Water and Sanitation (Ednick Msweli), all of whom I represent ("my clients"), appear on the aforesaid billboard alongside the statement "*YOU CAN STOP THE WATER TANKER MAFIA*".
3. I have carefully considered your billboard, together with Hoosen's written statement published on the DA's website (accessible here: <https://kzn.da.org.za/2026/09/da-unveils-durban-billboard-tackling-water-tanker-mafia-political-enablers>) and record the following:
 - 3.1 The statement is accusatory and has the effect of expressly implicating and identifying my clients as being part of a "mafia".
 - 3.2 This directly implies that each of my clients is involved or complicit in some or other organised criminal activity or syndicate that, in turn, has the consequent further implications of unethical and dishonest conduct.
 - 3.3 These allegations are not premised on any kind of real evidence, are devoid of truth and are informed, at best, by what can only be described as conspiracy.

- 3.4 This statement, which has been publicly published alongside a major motorway in the greater Durban area and on your website, to which innumerable persons will be subjected, is entirely false, unfounded, and defamatory.
- 3.5 Considering the upcoming local elections in November 2026, it is blatantly clear that this statement, which is inherently hostile, was created with the intention to influence that election, and designed to directly undermine my clients, the respective positions that they currently hold, as well as the eThekweni Municipality as a whole.
4. The repeated statement, such as it is, goes beyond mere political rhetoric. Whilst I acknowledge that the DA generally and Hoosen in particular are fully entitled to engage in criticism of the Municipality and its incumbents, you must do so in a legally permissible manner without resorting to the publication of unlawful and defamatory statements.
5. You ought to be fully aware that the right to freedom of expression enshrined in our Constitution is not absolute and does not allow for the publication of defamatory statements that attack the reputation and dignity of individuals.
6. These statements have caused and will continue to cause harm to the reputation, professional standing, dignity, and good name of my clients. By publishing this false accusation, you are intentionally, unlawfully, and repeatedly violating the rights of our clients.
7. Our clients are entitled to protect their rights.
8. I am, accordingly, instructed to demand that you:
- 8.1 **within 24 hours** remove any and all videos, statements, photographs and/or posts, on whatever platform they may have been published, in which the defamatory statement ("*the water tanker mafia*") is made in relation to my clients;
- 8.2 **within 24 hours** remove the offending billboard, which contains the defamatory statement as well as the photographs of my clients;
- 8.3 **within 24 hours** publish a public retraction and apology to my clients on your website and social media pages; and
- 8.4 **immediately** desist from publishing the defamatory statement in relation to my clients in future.
9. If you fail to meet these demands, my clients will have no choice but to approach the High Court for an order to protect the rights that you so needlessly and recklessly continue to

violate. I inform you, in the event that this should be necessary, that our clients will seek a punitive costs order against you.

Kind Regards

**HIRESAN GOVENDER
DIRECTOR
VENNS ATTORNEYS**

Direct Contact Information	
Hiresan Govender	031 823 6102 hiresan@venns.co.za
Amisha Ramsaru	031 823 6102 amisha@venns.co.za

THIS DOCUMENT HAS BEEN SENT ELECTRONICALLY AND IS THEREFORE UNSIGNED