

IN THE HIGH COURT OF THE REPUBLIC OF SOUTH AFRICA
KWAZULU-NATAL DIVISION, PIETERMARITZBURG

Case No: 3294/23

In the matter between:

JULIUS NAGEL

First Applicant

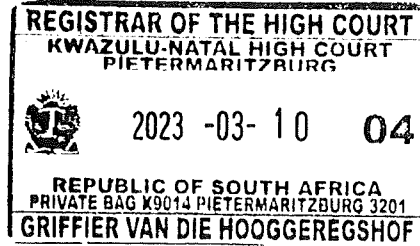
STEVEN LOCKE

Second Applicant

KANCHANA SINGH

Third Applicant

PESTALOZZI TRUST
(IT006377/1998(T))



Fourth Applicant

and

MEMBER OF THE EXECUTIVE COUNCIL FOR
EDUCATION, KWAZULU-NATAL

First Respondent

HEAD OF DEPARTMENT: DEPARTMENT OF
EDUCATION, KWAZULU-NATAL

Second Respondent

MINISTER OF BASIC EDUCATION

Third Respondent

DIRECTOR-GENERAL: DEPARTMENT OF
BASIC EDUCATION

Fourth Respondent

RULE 16A NOTICE

PLEASE TAKE NOTICE that the following constitutional issues have been raised in this application:

1. Whether interim relief affording the affected children an entitlement to continue their home education should be granted pending the outcome of the review proceedings in Part B;

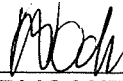
2. Whether section 29 of the Constitution (the right to education) requires that the affected children be permitted to continue their home education while the review proceedings in Part B are completed;
3. Whether the best interests of the children (as enshrined in section 28 of the Constitution) are best served by the affected children being permitted to continue their home education while the review proceedings in Part B are completed;
4. Whether the affected children and parents' rights to reasonable, lawful and just administrative action (as enshrined in section 33 of the Constitution) has been violated by the first and second respondents' refusal to provide the registration for home education, and justifies the grant of interdictory relief affording the affected children an entitlement to continue their home education pending the outcome of the review proceedings in Part B.

TAKE FURTHER NOTICE that any party who has an interest in the aforesaid constitutional issues may, with the written consent of all the parties to the proceedings, given not later than 5 days hereof, be admitted as amicus curiae upon such terms or conditions as may be agreed upon in writing by the parties.

TAKE FURTHER NOTICE that if any interested party is unable to obtain written consent as contemplated by rule 16A, he or she may, within 5 days of the expiry of the period of the 5 days referred to in the previous paragraph, apply to the court to be admitted as amicus curiae in the proceedings.

TAKE FURTHER NOTICE that the Registrar is requested to place this notice on the notice board designated for this purpose.

DATED AT *Pretoria* ON THIS 10 DAY OF *March* 2023.



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TO : THE REGISTRAR OF THIS ABOVE COURT
PIETERMARITZBURG

AND TO: THE STATE ATTORNEY-DURBAN
1ST, 2ND, 3RD, & 4TH RESPONDENTS ATTORNEYS
6TH FLOOR, METLIFE BUILDING, BY SHERIFF
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