

22/9/2017

IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)



Case number: 17599/2014

Date:

DELETE WHICHEVER IS NOT APPLICABLE

- (1) REPORTABLE: YES/NO
(2) OF INTEREST TO OTHERS JUDGES: YES/NO
(3) REVISED

22/9/2017
DATE

Pretorius
SIGNATURE

In the matter between:

THE KOSMOS RATEPAYERS AND RESIDENTS ASSOCIATION

FIRST APPLICANT

ANN LITTEN

SECOND APPLICANT

DANIE PRETORIUS NO

THIRD APPLICANT

MICHAEL JESSEMAN NO

FOURTH APPLICANT

And

THE MADIBENG LOCAL MUNICIPALITY

FIRST RESPONDENT

ENERGY MATOME MANAKA

SECOND RESPONDENT

BATHABILE MOABI

THIRD RESPONDENT

THE UNLAWFUL OCCUPIERS OF KOSMOS PROPERTIES

FOURTH RESPONDENT

THE DEPARTMENT OF HOME AFFAIRS

FIFTH RESPONDENT


JOSTINA MMAMTINA MOTHIBE

SIXTH RESPONDENT

JUDGMENT

PRETORIUS J.

- (1) I have considered the arguments and the judgment of AA Louw J, as well as the reasons for applying for leave to appeal. In these circumstances I find that it is possible that another court may come to a different conclusion.
- (2) Consequently, I make the following order:
1. Leave to appeal is granted to the Full Court of the Gauteng Division of the High Court.
 2. Costs to be costs in the appeal.



Judge C Pretorius

Case number : 17599/2014

Matter heard on : 20 September 2017

For the Applicants : Adv PA Venter

Instructed by : Vermaak and Partners Inc

For the Respondent :

Instructed by : TF Matlakala Attorneys

Date of Judgment : 22 September 2017