

**IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF THABAZIMBI
HELD AT THABAZIMBI**

CASE NO: 418/2021

In the matter between:

THABAZIMBI LOCAL MUNICIPALITY

APPLICANT

and

TRESPASSERS ON REGOROGILE EXTENSION 8

THABAZIMBI, REGISTRATION DIVISION, LIMPOPO

RESPONDENTS

**COURT ORDER
INTERDICT**

TAKE NOTICE THAT IT IS HEREBY ORDERED AS FOLLOWS:

1. That the present application be dealt with as an urgent application in terms of the rule 55(5)(a) of the Magistrate's Court Rules, and that condonation is granted for non-compliance of time periods as prescribed by the rules;
2. That a rule nisi is issued, returnable on **15 OCTOBER 2021**, calling on the Respondent to give reasons, why the following order should not be made a final order of Court:
 - 2.1 Interdicting the Respondent from erecting any markers, poles, fences, dwellings or structures earmarked for potential unlawful occupiers on the property of the Applicant;



- 2.2 interdicting the Respondent from allocating stands upon the Applicant's property to members of the community, and interdicting them from allowing members of the community to erect informal housing on the Applicant's property, and to reside there;
- 2.3 interdicting the Respondent, and any members of the community, from erecting informal housing upon the Applicant's property mentioned above, and to reside upon the Applicant's property upon stands demarcated by the Respondents;
- 2.4 interdicting the Respondent from harassing or threatening or assaulting the applicant, his agent or his employees;
- 2.5 authorising the applicant to remove all unlawfull markers earmarked for unlawfull stands, unlawfull fenced off areas marked for unlawfull settlements on the affected property;
- 2.6 that the Respondents are liable for payment of the costs of the Applicant on attorney and client scale, alternatively party and party scale.
- 2.7 that such further and/or alternative relief be granted to the Applicant, as the honourable court may deem just;
3. That the *rule nisi* be served upon members of the respondents by:
- 3.1 Service by the sheriff on all respondents currently involved in the unlawfull demarcation on division of the Applicant's immovable property situated at **REGOROGILE EXTENSION 8, THABAZIMBI,**



REGISTRATION DIVISION, LIMPOPO present at the aforesaid property by reading out the order by loudhailer;

- 1.1 Displaying the terms of the rule nisi upon four notice boards to be put up on the boundary of the applicants property in clear legible form;
- 1.2 Publishing the *rule nisi* issued in one publication of the local newspaper the "Platinum Bushvelder".
2. That the Respondents may anticipate this order within 48 hours prior written notice to the applicant;
3. That pending the return date of the *rule nisi*, the orders set out in paragraphs 2.1, 2.2, 2.3, 2.4 and 2.5 will serve as interim orders.
4. Further and/or alternative relief.

DATED AT THABAZIMBI THIS 30 DAY OF September 2021.




MAGISTRATE
THABAZIMBI