

Z 15 (91/142289)

Case no. SC 180/2019

On 22/08/2019

P.O. Mr. Motaleke M.D.

Inter. Mr. Shilange N.S.

For Applicant: Mr. Baloyi M.C.

For Respondents: Adv. Khosa A.

Mechanically recorded

Hearing by court.

Based on the submission made by both Applicant's legal representative and Respondent's legal representative. The points in issue as per replying affidavit is upheld.

Court order

The interim order is made final order. Respondents are ordered to pay costs on an Attorney and Client scale.

22/08/2019
Adv. M.C.

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF
MALAMULELE

HELD AT MALAMULELE

CASE NO:

DC 180/2019

In the matter between:

MALULEKE MDUNGAZI JOSEPH

First Applicant

MULAMULA ROYAL FAMILY

Second Applicant

MULAMULA TRADITIONAL COUNCIL
and

Third Applicant

HASANI THOMAS MULAMULA

First Respondent

MPHAHLELE EEN MALULEKE

Second Respondent

CHRIS MALULEKE

Third Respondent

SOLOMON MALULEKE

Fourth Respondent

COURT ORDER

Upon perusal of the documents filed on the record, and hearing the applicant's attorneys, it is hereby ordered as follows:

1. That this Application is hereby treated as urgent
2. An order dispensing with Normal rules of service of this Honourable court
3. The Order prohibiting the First, Second, Third and Forth Respondent from:
 - 3.1 Entering Old and new Mulamula Traditional Council Offices at Mulamula Village with immediate effect
 - 3.2 Insulting, intimidating Applicant and/or other community members
 - 3.3 To sign, stamp or issue any documents
4. That this matter be treated as of Extreme urgency and that the Honorable Court dispenses with the ordinary rules of court regarding notice, service of processes and set-down.

5. That a rule nisi upon the Respondents to show cause why this order should not be made final on the 27th day of August 2019
6. To grant an order prohibiting the First, Second, Third and Fourth Respondent and their cohorts from:
- 6.1 Entering old and New Mulamula Traditional Council Offices at Mulamula Village
 - 6.2 Insulting, intimidate Applicants and/or other community members of Mulamula Communities who support Applicant as legitimate Host of Mulamula
 - 6.3 To sign, Stamp or issue any documents bearing insignia, Badge or in the Name of Mulamula Traditional Council.
 - 6.4 Enticing group or members of Mulamula Village to insult, intimidate to from locking the gates for Applicants and 2nd Applicants.
 - 6.5 To allocate land, stands in the whole area of Mulamula Community
 - 6.6 To represent Mulamula Traditional Council in all forms including in all Mulamula Development issues.
 - 6.7 To take files or moneys of Traditional Council from Traditional Council offices of Mulamula.
7. That Sheriff of the court Malamulele and/or Members of South African Police Malamulele are to serve this interim order immediately.
8. Costs of suits (if opposed)
- Signed and dated at MALAMULELE on this the 19 day of JULY 2019.

BY ORDER OF COURT


MAGISTRATE-malamulele

