



**HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA**

**Palace of Justice  
Pretoria**

**Tel: 012 314 9079  
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**GAUTENG HIGH COURT, PRETORIA  
URGENT APPLICATIONS – TOMAY J (DIRECTIVE AND ROLL)  
WEEK OF 28 FEBRUARY 2022 – 4 MARCH 2022**

**KINDLY ENSURE THAT KARIN ERLANKIS INVITED ON THE MATTERS BEFORE JUDGE  
TOLMAY ON CASELINES WITH EMAIL [Kerlank@judiciary.org.za](mailto:Kerlank@judiciary.org.za)**

[1] If cases were not ready at time of filing at 12:00 on Thursday 24 February 2022 (i.e. all relevant affidavits filed and the case indexed and paginated), they will not be heard, unless there is good cause or exceptional circumstances.

[2] All cases **MUST** be uploaded onto Caselines and all necessary documents must be uploaded in each matter. If any problems are experienced, the judge's registrar may be contacted TIMEOUSLY. In the absence thereof, where no link has been received, the matter will be struck from the roll.

[3] A practice note must be filed on Caselines setting out the following:

- (a) The grounds for urgency;
- (b) The nature of the application;
- (c) The estimated duration of the matter;
- (d) If there is non-compliance with the JP's directives issued for the lockdown period or the practice directives for urgent court, the reasons for such deviation;
- (e) Contact details for the legal practitioners, which must include both cellphone numbers and email addresses;
- (f) Whether the matter can be decided on the papers or whether a video conference is required.

[4] Where no certificate of urgency has been filed and/or no practice note has been filed the matter will be struck from the roll unless good cause is shown for non-compliance as per the issued directive.

[5] **Please also note that the master bundle must be properly indexed and paginated and uploaded onto CaseLines. Each document must be individually identified in the master bundle, including annexures.** If not, it will result in your matter being struck from the roll. This must be attended to before 13:00 Friday 25 February 2022.

[6] The profiles on Caselines will be frozen at 16h00 on Friday, 25 February 2022. No piece-meal filing of affidavits will be allowed.

[7] In all opposed matters, heads of argument are to be filed by both parties before 16h00 on Friday 25 February 2022. Strict regard will be had to the rules of urgency. As the profiles will be frozen, please email the heads of argument to [kerlank@judiciary.org.za](mailto:kerlank@judiciary.org.za)

[8] If there is non-compliance with the practice directive, the matter will be struck from the roll, unless good cause is shown for non-compliance.

[9] There will be NO roll-call on Tuesday 1 MARCH 2022. Virtual court hearings will start at 10h00 every day unless specifically otherwise stated. Legal practitioners are urged to log on to the MS Teams virtual hearings at the timeslots indicated on the roll below.

[10] An allocation does **NOT** mean that the matter is considered sufficiently urgent to be heard on the merits. Submissions will need to be made regarding the grounds of urgency.

[11] It is the parties' responsibility to obtain dates from the registrar for return dates.

**KARIN ERLANK**

**PA: TOLMAY J**

24 FEBRUARY 2022

**URGENT COURT ROLL FOR A WEEK COMMENCING ON  
THE 28<sup>TH</sup> OF FEBRUARY 2022**

**JUDGE: TOLMAY**

**SECRETARY: KAREN ERLANK**

**TOLMAY J TUESDAY 1 MARCH 2022 at 10:00**

1.	NAPAJ PROPETY INVESTMENT AND DEVELOPMENT (PTY) LTD VS ORIAON HOTEL AND RESORTS  <u>TOLMAY J – TUESDAY 1 MARCH 2022 AT 10:00</u>	9238/22
3.	MONIQUE TEXEIRA PEIXOTO – DE SOUSA VS EMLYN DESMOND KIEWIETS  <u>TOLMAY J – TUESDAY 1 MARCH 2022 AT 10:00</u>	81356/16
3.	JEANNE OLIVIER VS JONI OLIVIER AND STEFANUS FOUKARIDIS  <u>TOLMAY J – TUESDAY 1 MARCH 2022 AT 10:00</u>	15759/15

**TOLMAY J – TUESDAY 1 MARCH 2022 at 11:30**

4.	DIANE VAN WYK VS REIHARD VAN WYK  <u>TOLMAY J – TUESDAY 1 MARCH AT 11:30</u>	54803/19
5.	SOCIALIST AGENDA OF DISPOSSED AFRICANS VS MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS	4646/22

	<b><u>TOLMAY J – TUESDAY 1 MARCH 11:30</u></b>	
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## **TOLMAY J TUESDAY 1 MARCH 2022 at 14:00**

6.	<b>MATLA AFRICA OIL (PTY) LTD VS THE EBENEZER WORSHIP CENTRE AND +2 OTHERS</b>  <b><u>TOLMAY J – TUESDAY 1 MARCH 2022 AT 14:00</u></b>	<b>8429/22</b>
7.	<b>BALEPYE COMMUNAL PROPERTY ASSOCIATION AND +3 OTHERS VS THE DIRECTOR-GENERAL OF THE DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT</b>  <b><u>TOLMAY J – TUESDAY 1 MARCH 2022 AT 14:00</u></b>	<b>9063/22</b>

## **TOLMAY J – WEDNESDAY 2 MARCH 2022 at 10:00**

8.	<b>THE ROAD ACCIDENT FUND VS H.W THERON INC ATTORNEYS AND THE SHERIFF, PRETORIA EAST</b>  <b><u>TOLMAY J WEDNESDAY 2 MARCH 2022 AT 10:00</u></b>	<b>30076/21</b>
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## **TOLMAY J – WEDNESDAY 2 MARCH 2022 at 14:00**

9.	<b>JAN ALWYN PARSONS VS JORETA PARSONS</b>  <b><u>TOLMAY J – WEDNESDAY 2 MARCH 2022 AT 14:00</u></b>	<b>8945/22</b>
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## **TOLMAY J – THURSDAY 3 MARCH 2022 at 10:00**

10.	<b>HALIFAX GROUP (PTY) LTD VS NATIONAL MINISTER OF HOME AFFAIRS AND +2 OTHERS</b>  <u>TOLMAY J – THURSDAY 3 MARCH 2022 AT 10:00</u>	8913/22
11.	<b>LETHABO EDMUND SEBONI VS MATSHWENI MARIA MAGDALINE SEBONI</b>  <u>TOLMAY J – THURSDAY 3 MARCH 2022 AT 10:00</u>	88888/15
12.	<b>REDSTAG INVESTMENTS (PTY) LTD VS STILLBOSCH WILDLIFE ESTATE (PTY) LTD AND +3 OTHERS</b>  <u>TOLMAY J – THURSDAY 3 MARCH 2022 AT 10:00</u>	10484/22
13.	<b>HALIFAX GROUP (PTY) LTD VS NATIONAL MINISTER OF HOME AFFAIRS AND +2 OTHERS</b>  <u>TOLMAY J – THURSDAY 3 MARCH 2022 AT 10:00</u>	8913/22

### **TOLMAY J – THURSDAY 3 MARCH 2022 at 11:30**

14.	<b>JAENINE VISSER VS HERMANUS ANDREAS VISSER</b>  <u>TOLMAY J – THURSDAY 3 MARCH 2022 AT 11:30</u>	9803/22
15.	<b>RAYMOND ELIAS RISK VS THE COMPANIES AND INTELLECTUAL PROPERTY COMMISSION AND +5 OTHERS</b>  <u>TOLMAY J – THURSDAY 3 MARCH 2022 AT 11:30</u>	9787/22
16.	<b>EDUARD NEL VS TSHWANE UNIVERSITY OF TECHNOLOGY</b>  <u>TOLMAY J THURSDAY 3 MARCH 2022 AT 11:30</u>	11261/22

## **TOLMAY J THURSDAY 3 MARCH 2022 at 14:00**

17.	JOHNATHAN ARTHUR MAYBURY ( <i>EX PARTE</i> )	10408/22
18.	CRC SA PROP NPC <b>VS</b> THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY  <b><u>TOLMAY J – THURSDAY 3 MARCH 2022 AT 14:00</u></b>	10201/22

## **MATTERS THAT WILL BE REMOVED DUE TO NO CASES FOR THIS FILTER**

1.	NIEL BORMAN VS WELMARI BORMAN ( <i>DID NOT INVITE BY 12H00 ON CASELINES</i> )  <b><u>THIS MATTER WILL BE REMOVED – NA CASES FOR THIS FILTER</u></b>	9440/22
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2.	EUGENE ENGELBRECHT AND MARIA JOHANNA SUSSAN HENN <b>VS</b> CAWOOD WERNER AND COASTLINE CRESCENT SHARE BLOCK (RF) ( <b>WEDNESDAY, 03 MARCH 2022</b> ) ( <b>DID NOT INVITE BY 12H00 ON CASELINES</b> )  <b><u>THIS MATTER WILL BE REMOVED – NO CASES FOR THIS FILTER</u></b>	9939/22
3.	CHOOSE LIFE CHURCH (NPO) VS THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY AND THE NATIONAL ENERGY REGULATOR OF SOUTH AFRICA ( <b>DID NOT INVITE BY 12H00 ON CASELINES</b> )  <b><u>WILL BE REMOVED – NO CASES FOR THIS FILTER</u></b>	10885/22
4.	PASTOR CATHERINE MOKGALE <b>VS</b> ABSA BANK LIMITED AND +7 OTHERS ( <b>DID NOT INVITE BY 12H00 ON CASELINES</b> )  <b><u>WILL BE REMOVED – NO CASES FOR THIS FILTER</u></b>	11235/22
5.	THE ACTING MUNICIPAL MANAGER, MADIBENG LOCAL MUNICIPALITY AND MADIBENG LOCAL MUNICIPALITY <b>VS</b> MADIBENG LOCAL BLACK BUSINESS CHAMBER  <b><u>WILL BE REMOVED – NO CASES FOR THIS FILTER</u></b>	11527/22
6.	ZAKUBI JOHANNA MABEBA <b>VS</b> LESIBANA FRANS MABEBA AND +2 OTHERS ( <b>ISSUED AT 12H30</b> )  <b><u>WILL BE REMOVED – NO CASES FOR THIS FILTER</u></b>	11555/22

## **KUMALO J**

1.	PAULTRE ARTHUR DESROSIERS <b>VS</b> NTHABISENG PRECIOUS SKOSANA  <b>KUMALO J</b>	3771/22
2.	HERMINAH MAMPHETO SHILLENGE <b>VS</b> HAROLD PATRICK MABENJU AHILLENGE AND GOVERNMENT EMPLOYEE PENSION FUND  <b><u>KUMALO J</u></b>	8217/22



3.	MAGENA TRADING (PTY) LTD <b>VS</b> NATIONAL COMMISSIONER OF THE SOUTH AFRICAN POLICE SERVICES, BRIG KJ SITHOLE AND +4 OTHERS  <b><u>KUMALO J</u></b>	<b>7867/22</b>
4.	LOLAFON (PTY) LTD <b>VS</b> THE GAUTENG PROVINCIAL LIQUOR BOARD AND +3 OTHERS  <b><u>KUMALO J</u></b>	<b>8720/22</b>
5.	PROGRESSIVE PRIVAAT SEKURITEIT MONITERING EN REAKSIE (PTY) LTD AND +4 OTHERS  <b><u>KUMALO J</u></b>	<b>7866/22</b>
6.	VUSIMUZI ARNOLD SEKGOBELA <b>VS</b> ABSA HOME LOANS GUARANTEE COMPANY (RF) (PTY) LTD AND +2 OTHERS  <b>(3051/2022)</b>  <b><u>KUMALO J</u></b>	
7.	PHILIPPUS CHRISTOFFEL LESSING <b>VS</b> WELNAH MATHABATHE MAGAGANE  <b><u>KUMALO J</u></b>	<b>11109/22</b>
8.	FNB FIDUCIARY (PTY) LTD AND PHUMZILE VUYISWA MASEKO SEIPOBI <b>VS</b> ERIC JACOB MAHLANGU AND +9 OTHERS  <b><u>KUMALO J</u></b>	<b>10540/22</b>
9.	DHARMISHA MISTRY AND DHARMESH GUNVANT MISTRY <b>VS</b> EAST COAST MEDICAL-NORTHERN REGIONS CC  <b><u>KUMALO J</u></b>	<b>9280/22</b>
10.	IGNATIUS CLEMENT MIKATEKI SHIRILELE AND +3 OTHERS <b>VS</b> INSURANCE UNDERWRITING MANAGERS (PTY) LTD AND +2 OTHERS  <b><u>KUMALO J</u></b>	<b>10422/22</b>

11.	DB5 DEVELOPMENTS AND PROJECTS (PTY) LTD AND +2 <b>VS</b> THE CITY MANAGER OF TSHWANE, JASON NGOBENI AND +3 OTHERS  <b><u>KUMALO J</u></b>	<b>40190/21</b>
12.	MYOLISI BRIAN TUSE <b>VS</b> KLAAS MOHWELEDI MALIBANE  <b><u>KUMALO J</u></b>	<b>8275/22</b>
13.	MOSES SHANDUKANE <b>VS</b> THE DEPARTMENT OF HOME AFFAIRS AND +6 OTHERS  <b><u>KUMALO J</u></b>	<b>8430/22</b>
14.	GAVANNI (PTY) LTD AND +2 OTHERS <b>VS</b> PONTSHO GLUDIA MHLONGO  <b><u>KUMALO J</u></b>	<b>7513/22</b>
15.	INSURANCE UNDERWRITING MANAGERS (PTY) LTD VS IGNATIUS CLEMENT MIKATEKO SHIRELELE AND +3 OTHERS  <b><u>KUMALO J</u></b>	<b>8491/22</b>
16.	THE STANDARD BANK OF SOUTH AFRICA <b>VS</b> CARPATHIAN FARM (PTY) LTD AND ZAHEER CASSIM  <b><u>KUMALO J</u></b>	<b>10572/22</b>
17.	HERMINAH MAMPHETO SHILLENGE <b>VS</b> HAROLD PATRICK MABENJU AHILLENGE AND GOVERNMENT EMPLOYEE PENSION FUND  <b><u>KUMALO J</u></b>	<b>8217/22</b>
18.	MADUDLULI v SARS  <b><u>KUMALO J</u></b>	<b>55155/2021</b>