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#### INTRODUCTION

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This collection was processed by Michelle Colman in 2020.

#### COLLECTION

A LITIGATION: HOUSING AND EVICTIONS

Aa Cases 2003/2004

Aa1 City of Johannesburg v Occupiers of San Jose (51 Olivia Rd, Doornfontein), case no. 13835/04, High Court of South Africa Witwatersrand Local Division

The city sought to evict residents of these buildings which it deemed dilapidated and a health risk. Residents disputed that the building was a health or fire risk and blamed bad conditions on termination of water and electrical supply. They faced homelessness. Supreme and Constitutional Court proceedings are located at A3.5

Aa1.1 Pleadings: pages 1-348 (3f)

Aa1.2 Pleadings: pages 349-822 (4f)

Aa1.3 Pleadings: pages 823 - 1055; notices: pages 1-24; sheriff's returns: pages 1-199 (4f)

Aa1.4 Sheriff's returns: pages 200-369 (2f)

See also A3.5

Aa2 Joel Street evictions

The City of Johannesburg attempted eviction of four adjacent properties in Joel Street in the suburb of Berea, which it believed to be fire and health hazards.

Aa2.1 City of Johannesburg v Occupiers of Erf 377 Berea Township (60 Joel St) and 1 other, case no. 10331/04, High Court of South Africa Witwatersrand Local Division.

Aa2.1.1 Pleadings: pages 1-444 (4f)

Aa2.1.2 Pleadings: pages 445-604. Notices: pages 1-40 (2f)

Aa2.2 The City of Johannesburg v Occupiers of Erf 378 and remaining Erf 379 Berea (62 Joel St) & others, case no. 10333/04, High Court of South Africa Witwatersrand Local Division.

Aa2.2.1 Pleadings: pages 1-463 (4f)

Aa2.2.2 Pleadings: pages 464-623. Notices: pages 1-44 (2f)

Aa2.3 The City of Johannesburg v Occupiers of Portion 1 or Erf 379 and Erf 380 Berea & others, case no. 10332/04, High Court of South Africa Witwatersrand Local Division.

Aa2.3.1 Pleadings: pages 1-435 (4f)

Aa2.3.2 Pleadings: pages 436-595. Notices: pages 1-44 (2f)

- Aa2.4 The City of Johannesburg v Occupiers of Erf 381 Berea (68 Joel Rd) & others, case no. 10330/04, High Court of South Africa Witwatersrand Local Division.
- Aa2.4.1 Pleadings: pages 1-447 (4f)
- Aa2.4.2 Pleadings: pages 448-605. Notices: pages 1-41 (2f)  
See also A2.5; A3.6; A4.4 and D7.2

- Aa3 City of Johannesburg v Occupiers of Erf 130 City and Suburban & another, case no. 24101/03, High Court of South Africa Witwatersrand Local Division.  
Attempted eviction of building damaged by fire and deemed unfit for habitation.
- Aa3.1 Notices and pleadings - indexed (2f). **RESTRICTED**

## **A1 Cases, 2005**

- A1.1 Occupiers of Mandelaville Informal Settlement & 2 others v Executive Mayor of Johannesburg & 6 others, case no. 4161/05, High Court of SA Witwatersrand Local Division.  
Concerns the city's failure to honour undertakings to provide suitable alternative accommodation and facilities to the community of Mandelaville evicted from Diepkloof, Soweto.
- A1.1.1 Correspondence: includes case law, relevant legislation, affidavits and case documents, correspondence (5f)
- A1.1.2 Documents: court papers - indexed (4f)
- A1.1.3 Documents: applicants' supplementary submissions, amended notice of motion, respondents' heads of arguments, judgments in other cases, legislation (2f)
- A1.1.4 Pleadings: submissions, court papers - indexed (4f)
- A1.1.5 Court file: agreement of settlement case no. 12453/04, correspondence on contempt of court, court papers - indexed (5f)  
See A1.3
- A1.2 Absa Real Estate Asset Management v Eastgate Body Corporate, case no. 15537/05, High Court of South Africa Witwatersrand Local Division.
- A1.2.1 Pleadings and correspondence (1f)  
See A1.3
- A1.3 2005 Evictions  
Documentation relative to a number of cases, including Mandelaville Informal Settlement (see A1.1); Eastgate Building (see A1.3); Troyeville Bertams (see A6.1) and City of Johannesburg v Various Residents of Phiri Township, Soweto, case no. 18754/04, High Court of South Africa Witwatersrand Division. (2f)  
  
See also A1.1; A1.3 and A6.1

## **A2 Cases, 2006**

- A2.1 Lingwood & another v Unlawful Occupiers of R/E of Erf 9 Highlands (also known as 33 Hunter St), case no. 16243/06, South Gauteng High Court, Johannesburg.  
Owners of property attempted to evict the respondents following sale of the property. The respondents faced homelessness.
- A2.1.1 Court file 1: court documents - indexed (2f)
- A2.1.2 Court file 2: heads of argument, notices, affidavits, lease (1f)
- A2.1.3 Court file 3: court papers - indexed (not filed in order) (2f)
- A2.1.4 Correspondence: communications between applicants and respondents and their legal representatives, research, lease agreements (2f)  
See also A4.10 and D7.1

- A2.2 Occupiers of Coronia Gardens v Pssimeco Esi Properties(Pty) Ltd & 4 others, case no. 26879/06, High Court of SA Witwatersrand Local Division.  
An urgent application seeking restoration of water and electricity supply to Coronia Gardens.
- A2.2.1 Heads of argument, affidavits and other court papers, correspondence, judgment, research papers, legislation (4f)
- A2.2.2 Correspondence between legal representatives of applicants and respondents and court papers (1f)
- See also A3.1
- A2.3 Stand 430 Jeppestown v Unlawful Occupiers of Rochester House, case no. 28001/06, High Court of South Africa Witwatersrand Local Division.  
Residents faced eviction in an environment where rogue elements appeared to have taken over the building. Legitimate ownership of the building was unclear.
- A2.3.1 Pleadings and correspondence (1f)
- A2.4 Blue Moonlight Properties 39 (Pty) Ltd v The Occupiers of Saratoga Ave & another, case no. 11442/06, High Court of South Africa Witwatersrand Local Division  
The occupiers were a group of 71 people living in shacks and abandoned industrial units on the property. The owner sought to evict them. The occupiers took the view that the city of Johannesburg had an obligation to provide alternative accommodation.
- A2.4.1 Pleadings (2f)  
See also A6.2.11; A7.3; A8.2; A8.3 and D7.2
- A2.5 City of Johannesburg v Occupiers of Erf 381 Berea Township (68 Joel Rd) & 3 others, case no 253/06, Supreme Court of Appeal of South Africa.  
Further action on cases detailed in Aa2.4
- A2.5.1 Appeal and cross-appeal volume 1 - missing
- A2.5.2 Appeal and cross-appeal volume 2 - missing
- A2.5.3 Appeal and cross-appeal volume 3 (1f)
- A2.5.4 Appeal and cross-appeal volume 4 (1f)
- A2.5.5 Appeal and cross-appeal volume 5 - missing
- A2.5.6 Appeal and cross-appeal volume 6 (1f)
- A2.5.7 Appeal and cross-appeal volume 7 (1f)
- A2.5.8 Appeal and cross-appeal volume 8 (1f)
- A2.5.9 Appeal and cross-appeal volume 9 (1f)
- A2.5.10 Appeal and cross-appeal volume 10 (1f)
- A2.5.11 Appeal and cross-appeal volume 11 (1f)
- A2.5.12 Appeal and cross-appeal volume 12 (1f)
- A2.5.13 Appeal and cross-appeal volume 13 (1f)
- A2.5.14 Appeal and cross-appeal volume 14 (1f)
- A2.5.15 Appeal and cross-appeal volume 15 (1f)
- A2.5.16 Court papers, correspondence (3f)
- A2.5.17 Appellant's practice note (1f)
- A2.5.18 Second respondent's practice note (1f)
- A2.5.19 Second respondent's heads of argument (1f)
- A2.5.20 Practice note to the amici curiae (1f)  
See also Aa2; A3.6 and A4.4
- A2.6 City of Johannesburg v Unlawful Occupiers of Immovable Property (Re 1/318 IQ 662) Orlando East (also know as St Marys) & others, case no. 18066/06, High Court of South Africa Witwatersrand Local Division

Shack dwellers of this informal settlement were to be relocated to a new township, Lehae in Vlakfontein West.

- A2.6.1 Court papers, notes and correspondence (1f)
- A2.7 Connaught Properties (Pty) Ltd v Viola Msidi & 50 others, case no. 18018/06, High Court of South Africa Witwatersrand Local Division.  
Residents of Geraldine Court in Joubert Park lodged complaints with the Rental Housing Tribunal regarding excessive rental escalations and electricity and water accounts. After a ruling in their favour, leases were terminated
- A2.7.1 Court papers, correspondence - partially indexed (3f)
- A2.8 Mazibuko & 4 others v City of Johannesburg & 2 others, case no. 13865/06, High Court of South Africa Witwatersrand Local Division.  
Residents of Phiri in Soweto took issue with the installation of prepayment meters, as opposed to unmetered water at a fixed charge. They also objected to the setting of a level on basic water supply at 6 kilolitres per household per month. Appeals followed: City of Johannesburg & 2 others v Mazibuko & 4 others, case no: 489/08, Supreme Court of Appeal and Mazibuko & 4 others v City of Johannesburg & 2 others, case no. CCT 39/09, Constitutional Court of South Africa.
- A2.8.1 Court proceeding, volumes 1-76, indexed (77f) **RESTRICTED**
- A2.8.2 Volume 77 (some documents missing) (1f)
- A2.8.3 Volume 78 and 79 (pages not numbered) (1f)
- A2.8.4 Case 13865/06
- A2.8.4.1 Notices and applicants' documents produced for inspection in terms of rule 35 (12), pages 1-373 (2f)
- A2.8.4.2 Heads of argument: applicants' heads of argument, first and second respondents' supplementary heads of argument, note regarding tariff affordability, practice note, third respondent's opposing papers and practice note, third respondent's heads of argument, amicus curiae's heads of argument (4f)
- A2.8.4.3 Applicants' practice note (1f)
- A2.8.4.4 Johannesburg Water: notices, reports, business plans, meetings (3f)
- A2.8.4.5 Correspondence 2006-2007: Bowman Gilfillan; State Attorney; SAHRC; re: index and pagination; re-setdown and replies; re-amicus, re-notice of intention to oppose and review and notice to produce (2f)
- A2.8.4.6 Legislation I: National Water Act 36 of 1998; Municipal Structures Act 117 of 1998; Municipal Systems Act 32 of 2000; Municipal Finance Management Act 2003; Municipal Property Rates Act 6 of 2004; Norms and standards in respect of tariffs for water services (3f)
- A2.8.4.7 Relevant excerpts from case law relied on by applicants - indexed (1f)
- A2.8.4.8 Water research 1990-2007 (2f)
- A2.8.4.9 Water rights : includes press cuttings and statements, documentation from the Freedom of Expression Institute, CALS' legal grounds; affidavits and communication (3f)
- A2.8.4.10 Research: table of authorities; 'The Human Right to Water' by Gleick, Pacific Institute for Studies in Development, Environment and Security, California; PAIA request; law and policy; court papers; correspondence; technical information and official documentation (3f)
- A2.8.4.11 George Mlambo's water payments (1f)
- A2.8.4.12 Funding (1f)
- A2.8.4.13 Communication between Phiri residents and Johannesburg Water (1f) **RESTRICTED**
- A2.8.4.14 Phiri water survey July-August 2004 (1f) **RESTRICTED**
- A2.8.4.15 Operation manuals and training (1f)

- A2.8.4.16 Minutes of the Municipal Services Entities Committee 2003-2004; Service Delivery Agreement City Power Johannesburg (1f)
- A2.8.4.17 Public meetings (1f)
- A2.8.5 Case no. 489/08 Supreme Court
- A2.8.5.1 Application for leave to appeal, amicus issues, heads of argument, other court papers and correspondence (3f)
- A2.8.5.2 Heads of argument: City of Johannesburg and Johannesburg Water; Department of Water Affairs and Forestry; The Centre on Housing Rights and Evictions (COHRE), National Treasury; P36 record (3f)
- A2.8.5.3 Respondents' submissions; relevant section of legislations, by-laws and regulations (2f)
- A2.8.5.4 Notes, correspondence, court papers, Direct appeal to the Constitutional Court, judgment 13865/06 (Judge M P Tsoka, 30/04/2008) (2f)
- A2.8.5.5 Evidence: summary evidence, affordability, new evidence, free basic water policy, water scarcity, quantity, prepaid meters, reading guide (1f)
- A2.8.5.6 South African and international authorities (1f)
- A2.8.5.7 Selected authorities (1f)
- A2.8.6 Case no. CCT 39/09
- A2.8.6.1 Applicants' submissions (2f)
- A2.8.6.2 First and second respondents' heads of argument (volumes 1-3) and table of authorities, third respondent's heads of argument (3f)
- A2.8.6.3 Amicus curiae's heads of argument (COHRE) and list of authorities (x 2 dated 15/01/2009 and 19/08/2009); first and second respondents' response; third respondent's response; written submissions on behalf of third respondent; amicus curiae's notes for oral argument (3f)
- A2.8.6.4 Miscellaneous: correspondence on directions, fees, with State Attorney and Bowman Gilfillan; handwritten notes; first - fifth applicant documents (39/09); O'Regan judgment 8/10/2009; applicants' note on the city's available resources; correspondence with Webbers; applicants' practice note (2f)

See also A4.19

### **A3 Cases, 2007**

- A3.1 Pssimeco Esi Properties (Pty) Ltd v Turner & 30 others, Case no. 1924/07, High Court of SA Witwatersrand Local Division.  
Counter action following A2.2 above and the deterioration of relationships between applicant and respondent. The applicant alleged unlawful and violent dispossession of the building by the respondents and attempted eviction.
- A3.1.1 Court documents, correspondence (1f)
- A3.1.2 Power of attorney, court documents, correspondence (2f)
- A3.1.3 Court papers - indexed (3f)  
See also A2.2
- A3.2 Sailing Queen Investments 60 CC v Occupants of Flat 1 La Colline Court & 13 others, case no. 4450/07, High Court of South Africa Witwatersrand Local Division.  
The applicant alleged that the respondents were in unlawful occupation of the premises. The occupiers approached CALS which launched a counter application seeking the city of Johannesburg's assistance in providing accommodation.
- A3.2.1 Pleadings: court papers - indexed (3f)
- A3.2.2 Pleadings: court papers, City of Johannesburg's accommodation report, judgment (1f)
- A3.2.3 Correspondence: mostly between legal representatives of applicant and responders (1f)
- A3.2.4 Extra copies: affidavits and other court papers (2f)

- A3.3 Ekurhuleni Metropolitan Municipality v Unlawful Occupiers of Structures 1 to 61 Makause Informal Settlement Germiston, case no. 25110/07, High Court of South Africa, Witwatersrand Local Division.
- Sixty-one respondents inhabiting this informal settlement faced eviction and demolition of their shacks and relocation. The municipality held that sinkholes, floods and open mineshafts made the land dangerous. Specific residents of the informal settlement also took action: Mphambo & 2 others v Ekurhuleni Metropolitan Municipality & 1 other, case no. 1704/07, High Court of SA Witwatersrand Local Division and Mdawoyakhe & others v Ekurhuleni Metropolitan Council Case no. 4034/07, High Court of SA Witwatersrand Local Division.
- A3.3.1 Application (2f)
- A3.3.2 Court papers, correspondence, legal opinion (Probono.org) (4f)
- A3.3.3 Consultation with community members and meeting minutes, correspondence between legal representatives, Probono.org documentation, communication from the Landless People's Movement, Housing Act 107 of 1997, case studies, chapters 12 and 13 from National Housing Code, paper on encroachment of servitudes summit, "Breaking New Ground: A comprehensive plan for the development of sustainable human settlements" (approved by cabinet and presented to Minmec 2/09/2004)(4f)
- A3.3.4 Counter action by residents against municipality, founding affidavit (Ndawoyakhe Mphambo case no. 07/1704), court order case nos. 4034/07 and 1704/07, Probono.org brief, 2 x copies founding affidavit (Thomas Willem Peters), correspondence (4f)
- A3.3.5 Court papers for case no 1704/07, Probono.org docs, "Breaking New Ground: A comprehensive plan for the development of sustainable human settlements" (approved by cabinet and presented to Minmec 2/09/2004), chapters 12 and 13 from National Housing Code, Housing Act 107 of 1997, case studies (2f)
- A3.3.6 Correspondence and notes: correspondence and notes dated 2011, Makause Community Development Forum Constitution, minutes of meeting with the Executive Mayor 28/02/2011, reports (1f)
- A3.4 Not filled
- A3.5 Occupiers of 51 Olivia Rd (San Jose), Berea Township and 197 Main Street, Johannesburg v City of Johannesburg & 3 others, case no.s CCT 24/07 Constitutional Court, 253/06 Supreme Court of Appeal.
- Supreme and Constitutional Court proceedings following the High Court case detailed in Aa.1 above.
- A3.5.1 Record before the Supreme Court of Appeal and all the documents lodged in the application for leave to appeal to the Constitutional Court, indexed (18f)
- A3.5.2 Submissions of the amici curiae: Community Law Centre (UWC) and Centre on Housing Rights and Evictions (COHRE) (1f)
- A3.5.3 Compliance with the Constitutional Court settlement
- Lease agreements entered into after a settlement agreement was reached in case no. CCT24/07, where the city undertook to provide rental accommodation in three buildings.
- A3.5.3.1 Pleadings: founding affidavit in Nelson Khetani & Residents of 33 Hancock St Berea and 76 Kotze St Hillbrow v City of Johannesburg, case no. 39390/10 (2f)
- A3.5.3.2 Settlement agreement: correspondence between legal representatives, Constitutional Court judgment and media summary, city's affidavit and supplementary affidavit, register of Olivia Rd residents, commentary on the city's application to adduce new evidence, Nelson Khetani's answering affidavit, interim order, settlement conference 13/9/2007, dispute agreement, COHRE and UWC affidavits (5f)

- A3.5.3.3 Documentary evidence and notes: pleadings, housing statements (billing), leases, dispute agreement, "Development of a Socio-Economic Survey Tool and Implementation of a Survey at the MBV and Old Perm Buildings Phase II" - final report to the Social Housing Foundation by the Community Agency for Social Enquiry, 01/2009, National Building Regulations and Building Standards Act No 103 of 1977, City of Joburg Public Health By-Laws, register of occupiers MBV Building 4/07/2010 (3f)
- A3.5.3.4 Correspondence: communication to and about occupants and conditions at the MBV/Old Perm buildings and billing discrepancies, 2009 - 2011 (3f)
- A3.5.4 Evictions research (1f)
- A3.5.5 Client documents (1f)  
See also Aa.1
- A3.6 The Occupiers of 80 Joel St Yeoville Johannesburg v Dusty Moon Investments 292 (Pty) Ltd, Case no.s: 23017/07, 7556/08 and 25161/08, High Court of South Africa Witwatersrand Local Division.  
  
Tenants of Al's Towers applied for rescission of an eviction order, granted in absence of their opposition.
- A3.6.1 Court papers, indexed and correspondence between legal representatives 2008 (2f)
- A3.6.2 Rescission: deeds of transfer, court papers, rescission order 17/04/2008, power of attorney, correspondence 2007 - 2009 (2f)
- A3.6.3 Dispute between tenants of Als Towers and legal representatives 2009, court papers Dusty Moon Investments 292 (Pty) Ltd v residents of Als Towers Case no: 23017/07 and order 7/11/2007, deed of transfer and sectional title papers (4f)
- A3.6.4 Correspondence 2006-2009, court papers (2f)
- A3.6.5 Dusty Moon Investments 292 (Pty) Ltd and City of Johannesburg in re: Dusty Moon Investments 292 (Pty) Ltd v Unlawful Occupants of Al's Towers & 37 others, case no. 25161/08, High Court of South Africa (3f).  
See also Aa2, A3.6 and A4.4
- A3.7 Rockview Heights
- A3.7.1 Rockview Heights Body Corporate v Caroline Masombuka, case no. 22614/07, High Court of South Africa Witwatersrand Local Division: concerns areas owed by tenant (2f)
- A3.7.2 Rockview Heights Body Corporate v The Vuyelwa Trust, case no. 22618/07, South Gauteng High Court: concerned areas of a property in Rockview Heights owned by a Trust.
- A3.7.2.1 Pleadings (1f)
- A3.7.2.2 Correspondence (1f)
- A3.8 Various Occupants v Thubelisha Homes & 3 others, case nos. 13189/07, High Court of South Africa Cape of Good Hope Provincial Division and CCT 22/08, Constitutional Court of South Africa.  
  
Case concerned the eviction and relocation of 20 000 occupants of the Joe Slovo informal settlement in Langa in the Western Cape by developers.
- A3.8.1 Court documents - indexed (18f)
- A3.8.2 Joe Slovo 1: notes, correspondence, orders, affidavit, index to ex-parte application, case no. 07/13189 pages 1 - 262 (index to main application contained therein) (2f)
- A3.8.3 Joe Slovo 2: case no. 13189/07 pages 263 - 636 (4f)
- A3.8.4 Joe Slovo 3: case no. 13189/07 pages 637 - 1036 (3f)
- A3.8.5 Joe Slovo 4: case no. 13189/07 pages 1037 - 1389, judgment 10/03/2008 (4f)
- A3.8.6 Joe Slovo community: Media summary CCT 22/08 31/03/2011, judgment 31/03/2011, correspondence and court document 2008-2009, submissions of amici curiae (1f)
- A3.9 Bankoch Investments

Managing agent terminated the lease agreements and sought eviction of residents of flats in High Holborn, Joubert Park, all members of the Tenants Committee of the building. The committee believed this was an attempt to censure lawful complaints.

- A3.9.1 Bankoch Investments v N Mgobo, case no. 10419/07, High Court of South Africa Witwatersrand Local Division
    - A3.9.1.1 Legal documents, including indexed notice of motion and affidavit (3f)
    - A3.9.1.2 Mgobo trial bundle (2f)
  
  - A3.9.2 Bankoch Investments v R Molepo, case no. 10420/07 High Court of South Africa Witwatersrand Local Division
    - A3.9.2.1 Legal documents (4f)
    - A3.9.2.2 Molepo and other residents record of payments and correspondence from managing agent (1f)
  
  - A3.9.3 Bankoch Investments v K Moloto, case no. 10422/07 High Court of South Africa Witwatersrand Local Division
    - A3.9.3.1 Legal documents (4f)
  - A3.9.4 Bankoch Investments v J Mulautzi, case no. 10423/07, High Court of South Africa Witwatersrand Local Division
    - A3.9.4.1 Legal documents (4f)
    - A3.9.4.2 Mulautzi's record of payments and correspondence from managing agent (1f)
  - A3.9.5 Bankoch Investments v Molepo and 4 similar cases
    - A3.9.5.1 Documentary evidence file 1 (2f)
    - A3.9.5.2 Documentary evidence file 2 (1f)
    - A3.9.5.3 Documentary evidence file 3 (3f)
    - A3.9.5.4 Additional court orders file 1 (2f)
    - A3.9.5.5 Correspondence 2006-2012 (3f)
  - A3.9.6 Bankoch Investments v M Mkhasibe, case 10421/07, High Court of South Africa Witwatersrand Local Division
    - A3.9.6.1 Legal documents (3f)
    - A3.9.6.2 Pre-trial documents and notices (1f)
    - A3.9.6.3 PIE application and pleadings (3f)
    - A3.9.6.4 Discovery affidavits and interlocutory application (4f)
    - A3.9.6.5 Correspondence 2007 - 2013 (4f)

See A8.1
  
  - A3.10 Manyange & 3 others v Zulberg Estates & 2 others, case no. 19136/07, High Court of South Africa Witwatersrand Local Division.

Residents of Stoneacres in Berea urgently applied for restoration of their electricity supply and an interdict restraining the respondent from interfering with their access to the building.
  - A3.10.1 Court papers and correspondence (1f)
  
  - A3.11 Frank Meaker & another v City of Johannesburg & 2 others, case no 19659/07, High Court of South Africa Witwatersrand Local Division; Frank Meaker & 20 others v City of Johannesburg & 2 others, case no. 4152/08, High Court of South Africa Witwatersrand Local Division.

Concerns the disconnection of electricity services to two buildings, Clairhaven and Blue Haze as their account with City Power was in arrears.
  - A3.11.1 Pleadings 19659/07 - indexed, heads of argument, order correspondence (2f)
  - A3.11.2 Pleadings 4152/08- indexed (3f)
  - A3.11.3 Applicants' heads of argument 4152/08 and correspondence (1f)
  - A3.11.4 Correspondence, notes, judgment 16109/07, drafts (2f)
- See also D7.1



- A3.12 Occupiers of 17 houses in the Ellis Park Precinct, Bertrams  
Occupiers were faced with eviction to make way for a shopping centre to be built by the Johannesburg Development Agency (JDA)
- A3.12.1 Correspondence 2006 - 2007 (1f)
- A3.13 Nnadozie v & 1 other v Meisel E, case no 116565/07, Magistrate's Court for the District of Johannesburg.  
Application for a rescission of a judgment against the applicant for failure to pay rent for a poorly maintained cottage in Berea.
- A3.13.1 Correspondence and court papers (1f)
- A3.14 Portion 94 of Farm Bultfontein  
Occupants faced eviction following sale of the property.
- A3.14.1 Correspondence (1f)
- A3.15 City of Johannesburg v Occupiers of Chung Hwa Mansions & another, case no. 4011/07 High Court of South Africa Witwatersrand Local Division.  
Eviction of the residents of the building in downtown Johannesburg including subsequent action, viz. case nos. 40238/09, 40253/09, 43174/09 and 14959/10, South Gauteng High Court.
- A3.15.1 Court papers, notes, tenant histories and correspondence (3f)
- A4 Cases, 2008**
- A4.1 Chestnut Hill Investments & 2 others v Johannes Maite & others, case nos. 19875/08 and 9954/08 High Court of SA Witwatersrand Division.  
Some 140 residents of a dilapidated building in Carr St, Newtown, Johannesburg, faced eviction by a private developer developing retail space. The city of Johannesburg was ordered to provide temporary accommodation.
- A4.1.1 File 1: occupant survey, press release 4/09/2009, lease agreement, tenant documents, MoU between City of Johannesburg and CALS, handwritten notes (2f)
- A4.1.2 Court papers - indexed documents pages 1 -421 (4f)
- A4.1.3 Court papers - indexed documents pages 422 - 869 (4f)
- A4.1.4 Court papers - indexed documents pages 870 - 1351 (4f)
- A4.1.5 Court papers - indexed documents pages 1351A - 1703, court order 21/08/2009 (4f)
- A4.1.6 Correspondence 1: communication between legal representatives and their clients, 2008 - 2009 (4f)
- A4.1.7 Correspondence 2: communication and notes between legal representatives and their clients, 2009 - 2011 (3f)
- A4.1.8 Court papers - pages 660 - 1032 (some repetition of A4.1.2 -A4.1.5) (4f)
- A4.1.9 Adv. Paul Kennedy's (counsel to CALS) correspondence, 2010 (1f)  
See A5.7; A7.5 and D7.1
- A4.2 Occupiers of Ennerdale Mansions & 1 other v City of Johannesburg, case no. 22689/08 High Court of South Africa Witwatersrand Local Division; Leon Joseph & 6 others v City of Johannesburg & 3 others, case no. CCT43/09 in the Constitutional Court of South Africa.  
The residents of Ennerdale Mansions in Ennerdale sought the reconnection of electricity supply.
- A4.2.1 Court papers - indexed (5f)
- A4.2.2 Applicants heads of argument for Part A, Part B and Constitutional Court (3f)
- A4.2.3 Court papers and notes (2f)
- A4.2.4 Correspondence, notes, fees (1f)

- A4.3 Abahlali Basemjondolo Movement SA & another v Premier of KwaZulu-Natal & 3 others, case no. 1874/08, High Court of SA Durban and Coast Local Division.  
A group of informal settlements in KZN took action against the KZN Slums Act 6 Of 2007 which they viewed as unconstitutional. The case went to the Constitutional Court (see also A5.1)
- A4.3.1 Main application - indexed, pages 1 - 500 (4f)
- A4.3.2 Main application - indexed, pages 501 - 791; notices - indexed; Slums Act; judgment; notice of appeal and affidavit (4f)
- A4.3.3 Billings, founding affidavit, informal settlements, proposed Slums Act (2f)
- A4.3.4 Court papers including second respondent's bundle of documents, indexed (3f)
- A4.3.5 High Court and Constitutional Court documents (see A5.1), hearing transcripts, judgment (Moseneke, Concourt), billings and correspondence (5f)  
See also A5.1
- A4.4 Wonderboy Nondzaba & 1 other v City of Johannesburg & 2 others, case no. 10947/08, High Court of South Africa Witwatersrand Local Division.  
Applicant evicted from home in Houghton Estate. His room was then demolished.  
Pleadings and correspondence (1f)  
See also Aa.2; A2.5 and A3.6
- A4.5 Former Occupiers of 13 and 15 Abel Rd Berea v Nyewane Project Consultants cc & others.  
Respondent in City of Johannesburg v Sophie Gervis, case no 37225/08, High Court of South Africa Witwatersrand Local Division, was ordered to demolish unlawfully constructed buildings on her property, erf 220 Berea, or 15 Abel Road. On her failure to do so, Nyewane Project Consultants was contracted to undertake the demolition on behalf of the City of Johannesburg and forcefully evicted the occupants.
- A4.5.1 Correspondence (1f)
- A4.6 City of Johannesburg v Occupiers of Erf 829 (29 Hillbrow St) Berea & another, case no. 24114/08, High Court of South Africa Witwatersrand Local Division.  
Inspection by the city revealed the property was overcrowded, living conditions were inadequate and was being used in part as a shebeen/tavern. The city attempted eviction, which the occupiers opposed.
- A4.6.1 Correspondence, founding affidavit (1f)
- A4.7 Ekurhuleni Metropolitan Municipality v Mkhize & 19 others, case no. 41319/08, High Court of South Africa Witwatersrand Local Division.  
The municipality attempted to vacate residents of Vosloorus Extension 30 and demolish their buildings. The area, they held, was at risk as a result of high levels of dolomite below the surface and the possible formation of sinkholes.
- A4.7.1 Pleadings, correspondence, geological reports and plans (3f)
- A4.8 Ekurhuleni Metropolitan Municipality v Dada and 6 others, case nos. SCA 280/08 Supreme Court of Appeal of South Africa and 16270/06 High Court of South Africa Witwatersrand Local Division.  
  
Concerned the eviction of occupiers of portion 41 of the farm Rooikop 140. The landowners claimed the property was intended for use as a religious and charitable centre.
- A4.8.1 Appeal volume 1 - indexed (1f) **RESTRICTED**
- A4.8.2 Appeal volume 2 (1f) **RESTRICTED**
- A4.8.3 Appeal volume 3 (1f)
- A4.8.4 Appeal volume 4 (1f)

- A4.8.5 Appeal volume 5 (1f)
- A4.8.6 Appeal volume 6 (1f)
- A4.8.7 Appeal volume 7 (1f)
- A4.8.8 Appeal volume 8 (1f)
- A4.8.9 Appellants' practice note and heads of argument (1f)
- A4.8.10 Appellants' supplementary practice note and supplementary heads of argument (1f)
  
- A4.9 Absa Bank Ltd v Matete & Mosomane, case no. 22133/08, High Court of South Africa Witwatersrand Local Division  
Respondents were in default on mortgage loan repayments
- A4.9.1 Correspondence and court papers (1f)
  
- A4.10 Occupiers of House No 33 Hunter St & 1 other v Johannesburg Water (Pty) Ltd & 1 other, case no. 36146/08, High Court of South Africa Witwatersrand Local Division  
The occupiers, still awaiting the outcome of eviction proceedings per case no. 19243/06 (see A2.1) took action against Johannesburg for cutting off their water supply.
- A4.10.1 Court papers - indexed and correspondence (1f)  
See also A2.1 and D7.1
  
- A4.11 ML Rocchi Investments cc v Occupants of Kirribilli Mansions, 20 Soper Rd, Berea, case no. 11579/08, High Court of South Africa Witwatersrand Local Division.  
The applicant sought the eviction of the tenants claiming they were all non-paying illegal occupants.
- A4.11.1 Pleadings (1f)
  
- A4.12 Mamba O & 4 others v Minister of Social Development & 7 others, case no. CCT 65/08, Constitutional Court of South Africa (High Court case no. is not given)  
Victims of xenophobia living in soon-to-be closed shelters sought protection and reintegration into the community.
- A4.12.1 Pleadings (1f)
  
- A4.13 Dlephu & Mashaba v City of Johannesburg & 3 others, case no. 9890/08, High Court of South Africa Witwatersrand Local Division.  
The applicants' home in the Tshepiso West Informal Settlement in Roodepoort was destroyed by the respondents.
- A4.13.1 Court papers and correspondence (1f)
  
- A4.14 Njapha & 11 others v Govender D, case no. CCT 46/08, Constitutional Court of South Africa.  
Applicants appealed an eviction order. Previous case no.s are 5471/06 High Court of South Africa Durban and Coastal Division; AR 06/516 High Court of South Africa Natal Provincial Division and SCA 105/08 Supreme Court of Appeal of South Africa.
- A4.14.1 Court documents (1f)
  
- A4.15 Govender P & another v Pillay & 2 others, case no. 7451/09,  
Applicants moved to prevent eviction from a property in Pinetown, Kwazulu-Natal
- A4.15.1 Court papers and correspondence (1f)
  
- A4.16 More & 9 others v Occupiers of Narena Court, case no. 35929/08, High Court of South Africa Witwatersrand Local Division.  
Occupiers of Narena Court in Yeoville alleged unlawful eviction in terms of fraudulent court order.
- A4.16.1 Court papers and correspondence (1f)

- A4.17 Olna Investments (Pty) Ltd v Unlawful Occupiers of Erf 221 Fairview Township, case no 01223/08, South Gauteng High Court.  
The owners sought eviction of the occupiers in order to develop the property. The occupiers opposed as they faced homelessness.
- A4.17.1 Pleadings - indexed(2f)
- A4.18 Mojola & 21 others v Ultra Active Force cc & another, case no. 13459/08, Magistrate's Court for the District of Johannesburg  
Application to restore residents' occupation of 25 Saratoga Ave, and their property unlawfully possessed following an eviction.
- A4.18.1 Notes, court papers (3f)
- A4.18.2 Documentation relevant to associated case: Ultra Active Force cc & another v Remaining Unlawful Occupiers of Erven 1422 and 1321 Berea Township & 31 others, case no. 14299/08, South Gauteng High Court (2f)
- A4.18.3 Court documents case no 14299/08 (3f)
- A4.18.4 Documentation relevant to associated case: Nnadozie & another v Ultra Active Force & 3 others, case no 10/27686, South Gauteng High Court (1f)  
See also A2.4; A6.2; A6.3; A7.3; A8.2; A8.3; D7.2
- A4.19 State v Mhlongo V, case no. 69/2793/08, Protea Magistrate's Court: relates to theft of water meter and malicious damage to property (1f)  
See also A2.8
- A4.20 Landsec Property Management v Stella Alexander: dispute over rental and threat of eviction from Roehampton Court, Bree St Johannesburg (1f)
- A4.21 Khumalo V v Mbutho G & 5others, case no. 2459/08 KwaZulu-Natal High Court.  
Wife of seller of property refused to vacate after sale, saying she did not consent to the sale. CALS sought intervention as amicus curiae regarding the Matrimonial Property Act 88 of 1984.
- A4.21.1 Correspondence and court papers (1f)
- A5 Cases, 2009**
- A5.1 Abahlali Basemjondolo Movement SA & another v Premier of KwaZulu-Natal & 3 others, case no. CCT 12/09, Constitutional Court of South Africa.  
A group of informal settlements in KZN took action against the KZN Slums Act 6 Of 2007 which they viewed as unconstitutional. The case went to the Constitutional Court (see also A4.3)
- A5.1.1 Appeal papers - indexed (17f)
- A5.1.2 Second and third respondents' heads of argument (1f)
- A5.1.3 Costs, founding affidavit, correspondence, judgment case no: 1020/08 (1f)
- A5.1.4 Applicants' submissions  
See also A4.3
- A5.2 Ghandi Square Property Holdings (Pty) Ltd v Occupiers of Hatton Gardens, Marshalltown Johannesburg, case no. 40389/09, South Gauteng High Court.  
Some 53 occupiers of the Marshalltown property fought eviction and subsequent homelessness.
- A5.2.1 Pleadings - indexed (4f)
- A5.2.2 Correspondence and notes 2010-2011 (3f)

- A5.3 Madulamoho Housing Association (Pty) Ltd v The Unlawful Occupiers of BG Alexander Building & 161 others, case no.30968/09, South Gauteng High Court (1f)
- A5.4 Masimango v Occupiers of Stand No. 751 Berea & 9 others, and 28072/09, South Gauteng High Court.  
Landowners instituted eviction proceedings against the occupiers of the property who opposed the matter, counter-applied in order to have the City of Johannesburg joined to the proceedings, and further requested alternative accommodation.
- A5.4.1 Pleadings: 28072/09 as well as 19471/08 High Court of South Africa Witwatersrand Local Division - indexed (3f)
- A5.4.2 Correspondence (1f)
- A5.5 Moodley P & another v Lanron Properties & another, case no. 8106/09, High Court of South Africa Witwatersrand Local Division.  
The applicants' access to the property was denied and electricity was disconnected.
- A5.5.1 Court papers and correspondence (1f)
- A5.6 Nokotyana & others v The Ekurhuleni Metropolitan Municipality, case no. CCT31/09, Constitutional Court of South Africa.  
Action by residents of the Harry Gwala Informal Settlement to secure basic services from the municipality.
- A5.6.1 Application for leave to appeal volume 1 (1f) **RESTRICTED**
- A5.6.2 Application for leave to appeal volume 2 (1f)
- A5.6.3 Application for leave to appeal volume 3 (1f)
- A5.6.4 Application for leave to appeal volume 4 (1f)
- A5.6.5 Application for leave to appeal volume 5 (1f)
- A5.6.6 Appellant's heads of argument and documents bundle volume 1 (1f)
- A5.6.7 Appellant's heads of argument and documents bundle volume 2 (1f)
- A5.6.8 Appellant's heads of argument and documents bundle volume 3 (1f)
- A5.6.9 Correspondence (1f)
- A5.7 South African Rail Commuter Corporation v Unlawful Occupants at 44 Carr St, Braamfontein, case no. 32276/09, South Gauteng High Court.  
Landlords of the property attempted an eviction and cut access to water.
- A5.7.1 Court papers, correspondence, notes, information on occupants, title deeds (2f)  
See also A4.1, A7.5 and D7.1
- A5.8 Steele v Occupants of 45 Hillbrow St, case no. 29185/09, South Gauteng High Court.  
Eviction matter: landlord claimed occupants had no permission to reside in the building.
- A5.8.1 Correspondence, pleadings, client documentation (1f)
- A5.9 Tenants of Maracynth Court v Trafalgar Properties, case no. RT8066/09, Gauteng Rental Tribunal  
Residents were unhappy with the management services rendered by Trafalgar Properties and requested a change in managing agent.
- A5.9.1 Notes, correspondence and documentary evidence. Includes ruling in RT8066/09 before the Gauteng Rental Tribunal (1f)
- A6 Cases, 2010**

A6.1 City of Johannesburg Metropolitan Municipality v Occupiers of Erven 90, 91 and 120 Bertrams, case nos. 16078/10 and 16076/10, South Gauteng High Court. Also City of Johannesburg Metropolitan Municipality v Occupiers of Erven 89 Bertrams & others, case no. 16077/10, South Gauteng High Court.

The city wished to remove occupants of 10 Berea Rd (Josana Court), 8 Berea Road and 13 and 15 Gordon Rd (part of Bertrams Priority Block), deemed to be 'hijacked buildings', in order to push ahead with a regeneration project known as the Greater Ellis Park Urban Design Framework. The occupants were to be relocated.

- A6.1.1 Pleadings: case no. 16076/10 (3f)
- A6.1.2 Pleadings: case no. 16078/10 (3f)
- A6.1.3 Pleadings: case no. 16077/10 (3f)
- A6.1.4 Correspondence 2008 -2013 (3f)
- A6.1.5 Correspondence 2011-2013 (2f)
- A6.1.6 Miscellaneous: correspondence, pleadings, client documents, notes (1f)  
See also A1.3

A6.2 City of Johannesburg Metropolitan Municipality v Blue Moonlight Properties 39 (Pty) Ltd & Occupiers of Saratoga Ave, case no. SCA 252/10, Supreme Court of Appeal of South Africa.  
Developments further to case no 11442/06 - See A2.4 above.

- A6.2.1 Record of appeal volume 1 (1f)
- A6.2.2 Record of appeal volume 2 (1f)
- A6.2.3 Record of appeal volume 3 (1f)
- A6.2.4 Record of appeal volume 4 (1f)
- A6.2.5 Record of appeal volume 5 (1f)
- A6.2.6 Record of appeal volume 6 (1f)
- A6.2.7 Record of appeal volume 7 (1f)
- A6.2.8 Record of appeal volume 8 (1f)
- A6.2.9 Record of appeal volume 9 (1f)
- A6.2.10 Record of appeal volume 10 (1f)
- A6.2.11 Record of appeal volume 11 (1f)  
See also A2.4; A4.18; A6.3; A7.3; A8.2; A8.3 and D7.2

A6.3 City of Johannesburg Metropolitan Municipality v Blue Moonlight Properties 39 (Pty) Ltd & Occupiers of Saratoga Ave, case no. SCA 338/10, Supreme Court of Appeal of South Africa  
Development further to case no.s 11442/06 and SCA 252/10 - See A2.4 and A6.2.11 above.

- A6.3.1 Pleadings (1f)  
See also A2.4; A4.18; A6.2; A7.3; A8.2; A8.3 and D7.2

A6.4 Eden Park Community v Ekurhuleni Metropolitan Municipality, case no. 12/10, Equality Court for the District of Germiston.  
The applicants contended they were denied the right to participate in the allocation of RDP houses and subsidies, and as result their right to adequate housing was violated.

- A6.4.1 Correspondence, court papers and notes; also documentation on the Anti-Privatisation Forum; Khanya College Women's Advice Centre; Tenants of Helvetia Court v Real People Urban Properties RT 8274/09; letter requesting advice on mineral rights at Ga-Sekhukhune, Limpopo (1f)

See also D7.3 and C

A6.5 MEC Department of Roads and Transport (Gauteng Provincial Government) v Occupiers of the Remainder of Portion 12 Bultfontein 529 JQ-K29 & 5 others, case no. 04147/10, South Gauteng High Court.  
The applicants sought eviction of the occupiers whose shacks were, among other issues, disrupting road construction.

- A6.5.1 Court papers, correspondence (1f)
- A6.6 Dama & another v The Illegal Occupants of Manhattan Court & another, case no. 05857/10, South Gauteng High Court.  
Landlord sought eviction from this building situated in downtown Johannesburg over unpaid rentals and consumption charges.
- A6.6.1 Correspondence and court documentation (1f)
- A6.7 Sale of erf 1634 Bezuidenhout Valley Township to William Tshepiso Moseta: correspondence relative to sale of property denied by original owner (1f)
- A7 Cases, 2011**
- A7.1 Opal Wall Trading cc v Unlawful Occupiers of Erven 144,145, 146 and 198 Doornfontein, case no. 27628/11, South Gauteng High Court  
Respondents faced eviction
- A7.1.1 Pleadings, correspondence, evidence (1f)
- A7.2 Moseitlo & another v Minister of Police, case no. 81452/11, Magistrate's Court for the District of Johannesburg.  
The applicants were unlawfully arrested by the SAPS in an attempt by a private landowner to evict them.
- A7.2.1 Court documents and correspondence (1f)
- A7.3 City of Johannesburg Metropolitan Municipality v Blue Moonlight Properties 39 (Pty) Ltd and Occupiers of Saratoga Ave, case no. CCT 37/11, Constitutional Court of South Africa.  
Further development to case no.s 11442/06, SCA 252/10 and SCA 338/10 - see A2.4, A6.2, A7.3 above.
- A7.3.1 Pleadings: index (1f)
- A7.3.2 Pleadings volume 1 - missing
- A7.3.3 Pleadings volume 2 (1f)
- A7.3.4 Pleadings volume 3 (1f)
- A7.3.5 Pleadings volume 4 (1f)
- A7.3.6 Pleadings volume 5 (1f)
- A7.3.7 Pleadings volume 6 (1f)
- A7.3.8 Pleadings volume 7 (1f)
- A7.3.9 Pleadings volume 8 (1f)
- A7.3.10 Pleadings volume 9 (1f)
- A7.3.11 Pleadings volume 10 (1f)
- A7.3.12 Pleadings volume 11 (1f)
- A7.3.13 Pleadings volume 12 (1f)
- A7.3.14 Pleadings volume 13 (1f)
- A7.3.15 Applicant's practice note (1f)
- A7.3.16 Second respondent's practice note (1f)
- A7.3.17 Application to file an affidavit on behalf of the Minister of the National Department of Human Settlements (1f)
- A7.3.18 Amicus Curiae
- A7.3.18.1 Pleadings volume 14 (amicus curiae: South African Local Government Association) (1f)
- A7.3.18.2 Pleadings volume 15 missing
- A7.3.18.3 Pleadings volume 16 (amicus curiae: Lawyers for Human Rights) (1f)
- A7.3.18.4 In application of Lawyers for Human Rights : consolidated index of documents (1f)
- A7.3.18.5 In application of Lawyers for Human Rights : index of documents-volume 2 (1f)
- A7.3.18.6 Judgment (amicus curiae: Lawyers for Human Rights)

See also A2.4; A4.18; A6.2; A6.3; A8.2 ; A8.3 and D7.2

A7.4 Adult occupiers of Erf 9977 Gugulethu (SS Masonwabe Park) v The City of Cape Town & 3 others, case no. 10334/11 Western Cape High Court.  
The applicants inhabited 2 blocks of dilapidated flats in Gugulethu and were happy to move in the event of demolition, provided they were given alternative accommodation. CALS sought admission as an amicus curiae.

A7.4.1 Correspondence and pleadings. (2f)

A7.5 Thedisi & remaining occupiers of 99 Carr St, Newtown v CEO, Transnet Limited & another, case no. 18428/11, South Gauteng High Court

Urgent application to prevent forceful eviction of occupiers.

A7.5.1 Notes, correspondence, court processes, documentary evidence (1f)

See also A4.1; A5.7 and D7.1

A7.6 Herbst v The Unlawful Occupiers of Erf 2490 Jabulani Extension 1, case no. 10406/11

Eviction following sale of property.

A7.6.1 Notes, correspondence and court documents (1f) **RESTRICTED**

A7.7 Former occupiers of cnr Ascot & Fuller Rd, Bertram (erven 542-546 and 548)

Illegal eviction

A7.7.1 Correspondence, notes, statements (1f)

A7.7.2 CDs x 3 packs (in Media Room)

## **A8 Cases, 2012**

A8.1 Mkhasibe M v Bankoch Investments & 1 other, case no. 40704/12, High Court of South Africa South Gauteng.

Applicant held that the property owner continued to interfere with her possession of her flat at High Holburn, Joubert Park to encourage her to vacate. See A3.9.6

A8.1.1 Founding affidavit, draft order and other documentation (1f)

A8.1.2 Urgent High Court Application; pleadings (3f)

See A3.9.6

A8.2 Occupiers of Saratoga Ave v City of Johannesburg & 5 others, case no 13253/12, South Gauteng High Court of South Africa.

Further development to case no.s 11442/06, SCA 252/10, SCA 338/10 and CCT37/11 - see A2.4, A6.2.11 and A7.3 above.

A8.2.1 Pleadings (3f)

A8.2.2 Correspondence (1f)

See also A2.4; A4.18; A6.2; A6.3; A7.3; A8.3 and D7.2

A8.3 Occupiers of Saratoga Ave residents v City of Johannesburg & another, case no. CCT12/12, Constitutional Court of South Africa.

Some former Saratoga Ave residents, due to be temporarily located at The Ekhutuleni Shelter, lodged an urgent application in the Constitutional Court when they felt the city was not complying with relevant court orders.

A8.3.1 Correspondence, pleadings, notes (2f)

See also A2.4; A4.18; A6.2; A6.3; A7.3; A8.2 and D7.2

## **A9 Cases, 2013**

A9.1 Not filled



A9.2 Mtshali, Thokozani and The Occupiers of 238 Main and Berea Sts, Jeppestown, v Tayenga Masawi & 4 others, case no. 02312/13, South Gauteng High Court.  
The unlawfully evicted applicants living under a bridge on Berea Rd required emergency shelter and access to water and sanitation.

A9.2.1 First application: Mtshali, Thokozani and The Occupiers of 238 Main and Berea Sts, Jeppestown v Makhaya & another, case no. 00228/13 - indexed; tenant list, research, copies (4f)

A9.2.2 Court record: volumes 1 - 3 indexed (5f)

A9.2.3 Application for leave to appeal: court documents (2f)

A9.2.4 Appeal case no. A5008/14: vol 1 & 2, indexed (2f)

A9.2.5 Appeal case no. A5008/14: bundle of authorities, indexed (5f)

A9.2.6 Correspondence 2013 - 2014 and court documents (2f)

A9.2.7 Basic services - includes court documents (2f)

A9.3 Occupiers of 2A Simmonds St (Salvation Army Building) v Aengus Properties & 1 other, case no. 03677/13, South Gauteng High Court.

The Salvation Army terminated a programme for destitute individuals housed in the building and threatened eviction. Applicants took steps to prevent the property managing company from evicting them.

A9.3.1 Pleadings - indexed, court orders and disbursement (2f)

A9.3.2 Correspondence 2011-2013, pleadings (1f)

A9.3.3 Correspondence 2011-2016, notes, case law, pleadings (3f)

## **A10 Cases, 2014**

A10.1 Residents of Freedom Charter Square & 1 other v City of Johannesburg Metropolitan Municipality & 3 others, no case no given/2014, High Court of South Africa Johannesburg Division

An application to compel the city to relocate residents who lived on a floodline and provide emergency housing.

A10.1.1 Letter from Zeenat Sujee of CALS to Daniel Bonakelo Bovu, member of the Mayoral Committee on Housing at the City of Johannesburg; affidavit of Lydia Vanqase (1f)

A10.2 Unit 35 Castleton Properties (Pty) Ltd v Unlawful Occupiers of Cottage 7 & 3 others, case no. 7182/14, Magistrate's Court for the District of Mogale City.

The respondents, based in Mulderdrift, faced eviction by a private landowner and sought relief from the Mogale City Municipality.

A10.2.1 Research, clients' documents, counter application, correspondences and consultation notes (3f)

A10.3 The Occupiers of Greendale Estates, Abel Rd, Berea v Coral Lagoon Investments 244 (Pty) Ltd, case no. 05997/14, High Court of South Africa Gauteng Division.

Tenants were forcefully evicted following a questionable sale of the building (1f)

A10.3.1 Court papers (2f)

## **A11 Cases, 2015**

A11.1 Residents of 20 Hans St Jeppestown v Mbuso & others.

Residents faced eviction with change of property ownership.

A11.1.1 Notes, client documentation and correspondence (1f)

A11.2 Molapo & 4 others v City of Johannesburg & Joshco, RHT1873/2015

- A11.2.1 Residents of MBV Building disputed over electricity charges. Correspondence notes, transactions, leases, legislation, case law (1f)
- A11.2.2 Court documents, indexed (1f)

**A12 Undated**

- A12.1 Register of Occupiers of Hatton Gardens, 28 Von Brandis St, Marshalltown

**B LITIGATION: EDUCATION**

**B1 Cases, 2003**

- B1.1 Mgiba v Buccleuch Primary School, case no. 50116/03, Magistrate's Court for the District of Randburg.
  - B1.1.1 Applicant sought action against a judgment of default in paying school fees Pleadings (1f)
- B1.2 The Governing Body of Bopasetjhaba Primary School & 9 others v The Premier of the Free State Province & 2 others, case no. 2238/03, High Court of South Africa Orange Free State Provincial Division.

- B1.2.1 Concerns on the future of the school, its possible closing or merger, and the construction of new buildings to accommodate learners in the community. Pleadings, correspondence 2003-2006 (4f)

**B2 Cases, 2005**

- B2.1 Member of the Executive Council for Education: Limpopo Province v Pienaar & 2 others. Concerned deteriorating conditions at the Deo Gloria Farm School. CALS intervened as amicus curiae
  - B2.1.1 Court papers (1f)

**B3 Cases, 2006**

- B3.1 CALS & 2 others v Hunt Road Secondary School & 3 others, case no. 10091/06, High Court of South Africa Durban and Coast Local Division. The school sued indigent parents for unpaid school fees without informing them of their right to apply for exemptions.
  - B3.1.1 Pleadings, heads of argument, opinion, correspondence (4f)
  - B3.1.2 Correspondence re: applicants Ngubane and Ngwira. Includes reference to Sorsa & 1 other v Simonstown School, case no. 2759/02 (1f)

**C LITIGATION: MINING RIGHTS**

**C1 Cases, 2007**

- C1.1 Agri South Africa v Minister of Minerals & Energy and Centre for Applied Legal Studies, case nos. 55896/07 and 10235/08, North Gauteng High Court. The plaintiff claimed compensation from the Minister of Mineral Resources following the expropriation of coal rights. CALS was allowed to intervene as amicus curiae.
  - C1.1.1 Record volume 1 - indexed. Includes judgement (3f)
  - C1.1.2 Record volume 2 - indexed (3f)

- C1.1.3 Correspondence (1f)
- C1.1.4 Correspondence with Webbers Attorneys including appellant's practice note and heads of arguments; amicus curiae's heads of arguments (draft with notes and final) (1f)
- C1.1.5 Research (4f)
- C1.1.6 Constitutional Court file, case no. CCT 51/12 - indexed (3f); judgment J Hartzenberg

## **C2 Cases, 2009**

- C2.1 Foresti Matter  
European granite mining companies claimed that the Mineral and Petroleum Resources Development Act, enacted in 2002, extinguished their mineral rights without providing compensation. The mining companies including Piero Foresti, pursued their claim in an international tribunal. CALS was one of four NGOs that petitioned the tribunal to be admitted as a non-disputing party.
- C2.1.1 Correspondence, petition, research, media, Bilateral Investment Treaty Policy Framework (Department of Trade & Industry June 2009) (3f)
- C2.2 Wesselton: the spread of coal mining in the vicinity of this township outside Ermelo had an environmental effect on resources (1f)

## **C3 Cases, 2010**

- C3.1 Mapungubwe Action Group & 7 others v Limpopo Coal (Pty) Ltd & 1 other, case no. 30146/10, South Gauteng High Court.  
A coalition of activists, environmental and other organisations, the Mapungubwe Action Group, fought against Coal of Africa's Vele Colliery Mine to protect the Mapungubwe National Park from mining operations. CALS was a member of the Mapungubwe Action Group.
- C3.1.1 Interdict application: pages 1 - 179 missing
- C3.1.2 Interdict application file 1: pages 180-346 (1f)
- C3.1.3 Interdict application: pages 347 - 1424 missing
- C3.1.4 Interdict application, answering affidavit (indexed): pages 1425 -1555 (1f)
- C3.1.5 Interdict application, answering affidavit: pages 1556-2341 missing
- C3.1.6 Interdict application, answering affidavit (indexed): pages 2342-2787 (4f)
- C3.1.7 Interdict application, answering affidavit (indexed): pages 2788-3012 (2f)
- C3.1.8 Interdict application, answering affidavit (indexed): pages 3013-3546 missing
- C3.1.9 Interdict application, answering affidavit (indexed): pages 3547-4050 (3f)
- C3.1.10 Interdict application, answering affidavit (indexed): pages 4051-4572 missing
- C3.1.11 Interdict application, answering affidavit pages 4771-4926 (1f)
- C3.1.12 Changing Corporate Behaviour: The Mapungubwe Case Study. A research report by CALS, February 2014; Structures of Governance: Enhancing or Impeding Environmental Justice? The Mapungubwe Case Study by CALS, August 2014 (1f)  
See also A6.4.1

## **D LITIGATION: MISCELLANEOUS**

### **Di Cases, 1986**

- Di.1 Buthelezi MG v Haysom & the University of the Witwatersrand, case no. 7305/86, Supreme Court of Appeal (Durban and Coast Local Division).

The plaintiff took issue with statements he viewed as defamatory, contained within a book, Mabangalala - The rise of Right Wing Vigilantes in South Africa, published by the defendants.

Di.1.1 Correspondence and court papers (1f)

**Da Cases, 2003**

Da1 Ferreira & 2 others v State and CALS, case no. CC245/03, Supreme Court of Appeal.

An appeal against the sentence handed down to a woman convicted of hiring two people to murder her common law husband. CALS was admitted as amicus curiae.

Da1.1 Written submissions on behalf of amicus curiae (1f)

Da1.2 Bundle of authorities volume 1 - indexed (1f)

Da1.3 Bundle of authorities volume 2 - indexed (1f)

Da1.4 Bundle of authorities volume 3- indexed (1f)

See also Db1 and AK2915 G2 (Calls Records)

**Db Cases, 2004**

Db1 State v Engelbrecht, case no. D3658/02, High Court of South Africa Witwatersrand Local Division.

CALS's Gender Research Programme tried the case of an abused woman who killed an abusive spouse as part of a strategy to test case litigation to motivate changes in law. It applied for funding from the Foundation for Human Rights for its representation in the case an amicus curiae.

Db1.1 Correspondence, notes, court documentation (3f)

See also Da1 and AK2915 G2 (Calls Records)

**D1 Cases, 2006/2007/2008**

D1.1 Earthlife Africa (Cape Town branch) v Eskom Holdings, case no. 426/06, Supreme Court of Appeal of South Africa.

The applicant was concerned about the safety and feasibility of Eskom's pebble bed modular reactor (PBMR) and lobbied to halt the project. It sought and was denied access to information under the Information Act.

Court record vol 2-5, indexed (4f)

\*Volume 1 is missing

D1.2 Vilakazi v The State, case no. 576/07, Supreme Court of Appeal of South Africa.

Appeal against sentence in case of rape.

D1.2.1 Volume 1 - index and order (1f)

D1.3 Ronnie Adams & 230 others v Minister of Correctional Services, case no. 1421/08, Allegation of torture and violence by officials against prisoners at St Albans Maximum Correctional Centre, Port Elizabeth

D1.3.1 Claim, please, correspondence, Bradley McCallum v South Africa Communication No. 1818/2008 at the Human Right Committee of the UN, representations to parliament, media coverage, Prevention and Combating of Torture Bill 2012; sworn statements (1f)

**D2 Cases, 2009**

D2.1 Sonke Gender Justice Network v Julius Malema, case no. 02/09 EQ, Equality Court of Johannesburg.

Julius Malema, then president of the ANC Youth League (ANCYL) made comments derogatory to the female victim in the Jacob Zuma rape case in a speech made on 22/01/2009 at the Cape Peninsula Technikon in Cape Town.

- D2.1.1 Pleadings, judgment, legislation, amicus curiae, notes, testimony by Lisa Vetten of Tshwaranang Legal Advocacy Centre to End Violence Against Women, research, correspondence (2f)
- D2.1.2 Amicus: court documents, legislation, outline of argument, correspondence (1f)
- D2.1.3 Full hearing transcript, research (2f)
- D2.1.4 Judgment, hearing transcript (2f)
- D2.1.5 Notice of appeal, research into free speech, case law, correspondence (1f)
  
- D2.2 Avusa Media & 3 others v Judicial Service Commission & 15 others, case no. 30894/09, South Gauteng High Court  
An application by the Mail and Guardian to have a Judicial Service Commission enquiry into the dispute between Western Cape Judge President Hlope and the Constitutional Court judges, open to the public and media. Two Constitutional Court judges contended that Hlope approached them in an attempt to influence the Constitutional Court's then pending judgment in Jacob Zuma matters.
  
- D2.2.1 Court documents - indexed, pages 1-406 (4f)
- D2.2.2 eTV (Pty) Ltd & 1 other v Judicial Services Commission & 15 others - sought hearings open to public and media (1f)
- D2.2.3 CALS in the matter between Mail & Guardian & 3 others v The Judicial Service Commission and 15 others, case no. 30904/09, South Gauteng High Court (1f)
- D2.2.4 CALS in the matter between Avusa & 3 others v The Judicial Service Commission and 15 others, and in the matter of eTV (Pty) Ltd and Judicial Service Commission 15 others, case no.s 13647/09 and 13712/09, South Gauteng High Court (1f)  
See also D3.2
  
- D2.3 Promotion of Access to Information Act (PAIA) and request for the TRC Victims Database, 2009 - 2013  
  
Documentation and correspondence relative to CALS's appeal following the refusal of the Department of Justice and Constitutional Development for TRC records including the amnesty application of Eugene de Kock and the TRC victims database.
- D2.3.1 Correspondence and legislation (1f)
- D2.3.2 Correspondence on complaint 2009 - 2012 (2f)  
See also AK2915 T2
  
- D2.4 Strip club billboard advertising (1f)
  
- D2.5 Jubilee South Africa v Standard Bank of South Africa & another, case no. 44262/09, South Gauteng High Court.  
NGO sought access to its cheque account.
- D2.5.1 Judgment, correspondence, second respondent's head of argument, court order (1f)  
See also D7.3
  
- D3 Cases, 2011/2012**
  
- D3.1 Jacques Botha v The Commission for Conciliation, Mediation and Arbitration (CCMA) & 2 others, case no. JR1804/11, Labour Court of South Africa.  
The applicant, and executive chef at Sunsquare Montecasino, was dismissed for food theft.
  
- D3.1.1 Transcripts of arbitration between Botha and Sun Square Hotel, April - June 2011 (1f)
- D3.1.2 Correspondence, pleadings (2f)

- D3.2 Hlope, Mandlakayise John v The Premier of the Western Cape Province, case no CCT 41/11, and Hlope, Mandlakayise John v Freedom Under Law & others, case no CCT 46/11. Both cases were heard in the Constitutional Court of South Africa.  
Justices of the Constitutional Court alleged gross judicial misconduct on the part of the Judge President of the Cape High Court, Judge Hlope, and made statements to the media. Hlope held that he should have been afforded a hearing before the complaint was laid and the matter should have been kept confidential.
- D3.2.1 Amicus: court papers and correspondence. Includes written argument of the Centre for Applied Legal Studies (CALS), indexed. Also written arguments submitted by the General Council of the BAR, the Law Society of SA and the Black Lawyers Association (3f)
- D3.2.2 Amicus: judgment, media statement, court documents of CALS and Lawyers for Human Rights, indexed court documents in Avusa Media Ltd & 3 others v the Judicial Service Commission & 15 others case no.s 13647/09 and 13712/09 (3f)
- D3.2.3 Leave to appeal documents, submissions and other court documents (3f)
- D3.2.4 Documents include statement in support of complaint to the Judicial Service Commission by the judges of the Constitutional Court made on 30/5/2008, statements by Justices Nkabinde and Jafta 12/06/2008, complaint by Hlope against the judges of the Constitutional Court 10/06/2008 and his submissions, respondents' written arguments (2f)
- D3.2.5 Submissions on behalf of applicant; CALS ex parte application, written argument of respondent, CALS, Lawyers for Human Rights, General Council of the Bar and Law Society of SA; Freedom Under Law's and Black Lawyers' Association submissions (2f)  
See also D2.2
- D3.3 Wonderkop Community Women's Association v Rustenburg Local Municipality & 4 others, case no. 1407/12 North West High Court  
The applicants, a self organised group of Marikana women unaffiliated with any political party, were refused the right to gather for protest purposes.
- D3.3.1 Court papers, correspondence, judgment, research, notes (2f)
- D3.4 Mchunu, Thokozile Ida and Themba Edward: issues of domestic violence and property ownership (1f)

#### **D4 Cases, 2013**

- D4.1 The University of the Witwatersrand & 3 others v MEC for Health Gauteng & 6 others, case no. 19668/13, South Gauteng High Court.  
Applicants held that the failure of Gauteng hospitals to ensure the consistent supply and maintenance of equipment and consumables, which violated provisions of the constitution.
- D4.1.1 Founding affidavit: vol 1 (4f)
- D4.1.2 Founding affidavit: vol 2 (4f)
- D4.1.3 Founding affidavit: vol 3 (1f)
- D4.2 Illegal eviction of residents from the Joe Slovo Informal Settlement, Crosby, Johannesburg (1f)

#### **D5 Cases, 2015**

- D5.1 Channel Life Limited & another v South African Social Security Agency (Sassa), case no. 79112/15, High Court of South Africa (Gauteng Division).  
The case concerned Sassa's right to allow deductions on grants for funeral insurance.
- D5.1.1 File 1 - indexed (1f)

- D5.1.2 File 2 - main application, indexed (3f)
  - D5.1.3 File 3 - interlocutory application, indexed (2f)
  - D5.1.4 Black Sash Trust's admission as amicus curiae (1f)
  - D5.1.5 Bundle E: amicus curiae - indexed (1f)
- See also D6.1

D5.2 The State v Mokhatla & 2 others, case no. Sccc54/15, Specialised Commercial Crime Court- Johannesburg  
Relates to irregularities in bid adjudication by members of the West Rand District Municipality. The Chief Operating Officer, S Ngidi, made representations for the withdrawal of charges.

D5.2.1 Pleadings (1f)

## **D6 Cases, 2016**

- D6.1 South African Social Security Agency (Sassa) & 1 other v Lion of Africa Life Assurance Company Limited, case no. CCT 07/16 Constitutional Court of South Africa.  
Concerned Sassa's right to make deductions on child grants for insurances.
  - D6.1.1 Application: vol 1-5 indexed (5f)
  - D6.1.2 Black Sash amicus authorities - indexed (1f)
  - D6.1.3 Black Sash amicus file 1 - indexed (4f)
  - D6.1.4 Black Sash amicus intervention - indexed (3f)
- See also D5.1

## **D7 General cases**

D7.1 General cases - 1  
Contents include documentation on Tlhati v Moshoeshe in the Central Divorce Court; communication from Ray McCarthy to Stuart Wilson 24/08/2008; Avonal Court in Hillbrow; units in Mohlakeng in Randfontein; Hillcrest Mansions in Bellevue (case no. 19472/08 High Court of South Africa Witwatersrand Local Division); Rachel Zwane v Nedbank; Gardiner Court in Bellevue; Small v Eike Body Corporate; City of Tshwane v Watkins (case no 44021/08, Magistrate's Court for the District of Pretoria); removal of tombstone at Diepsloot; Blue Marguerite Investments v Unlawful Occupiers of St Michael's court (see also D7.3); illegal occupants of erf 5896 Ennerdale; Noverna Court in Hillbrow; Kruger Park and Shubert Park in Pretoria Central; City of Johannesburg v Occupiers of erf 829 in Orange Grove; proposal for Affordable Inner City Residential Accommodation for the Poor, Kagiso Urban Management; Americo Vaz (street trader); Ntlharapane v Augustyn (crimen injuria); CALS/COHRE Basic Service Delivery Questionnaire; The Right of Access to Water in South Africa; Methodist Church Matter and bail issues; sections of the Immigration Act 13 of 2002; police raids in the Johannesburg Inner City 2007; Minister of Transport & others v Occupiers of 44 Carr St (see also A4.1; A5.7 and A7.5); Mmako correspondence; challenge to poverty score allocation 2007; open manholes 2008; TUHF Properties v Occupiers of Sonskyn Flats and Harmonie Hof, case no. 12534/07; CALS Litigation Unit meeting agenda 22/01/2008 and proposals for status and purpose; correspondence from Frank Meaker to Jackie re- Cradle of Humankind 17/01/2008 (see also A3.11); Hunter Street issues (see also A2.1 and A4.10) (2f)

**RESTRICTED**

D7.2 General cases - 2

Contents include CALS calendar of meetings 2004; Adavi Investments v Occupiers of Part of erf 310 Newtown, case no. 06/23956, High Court of South Africa Witwatersrand Local Division; Nkosi v MTM Housing Project & another, case no. 05/1907 High Court of South Africa Witwatersrand Local Division; Kaalfontein Extension 22 forced removals; Chapman v Unlawful Occupants of 34/34A Wilhelmina St Troyeville & another, case no. 09/31513 South Gauteng High Court (see also D7.3); 'Choice from No Choice - Rights from the Left: State, Law and the Struggle Against Prepayment Water Meters in South Africa' by Jackie Dugard of CALS; CALS Project Proposal Outline; 7 Saratoga Ave Survey of Occupiers (see also A2.4; A6.2.11; A7.3; A8.2 and A8.3); Joel St evictions (see also Aa2) (2f)

D7.3 General cases - 3

Contents include Ekurhuleni Metropolitan v Eden Park Community Equality Court case no. 12/10 (see A6.4); Occupiers of Arnold Court, Bertrams; Chapman v Unlawful Occupants of 34/34A Wilhelmina St Troyeville & another, case no. 31513/09 South Gauteng High Court (see also D7.2); Jubilee South Africa v Standard Bank of South Africa & another, case no. 44262/09, South Gauteng High Court (see also D2.5) ; Blue Marguerite 503 (Pty) Ltd v Unlawful Occupiers of St Michaels Court case no. 26481/07 (see also D7.1); Mbele v Mokgubudu & City of Johannesburg case no. 0116308/09; Queen Phungula v Reynard Hall Hillbrow 2009; Unfair practice complaint by tenants of Lake Success Mansions 2009; letter from Luthando Mazibuko serving 8 year jail term at Groenpunt Correctional Centre in Vereeniging for attempted robbery 2010; Abigail Grobler 2010; Online Maps Help Manual (City of Joburg); Gainsborough Mansions 2009; Africa Unite Campaign (AUC): Baseline for Southern African Region (Unifem), October 2010; Urban LandMark Conference, Johannesburg 2010 (2f) **RESTRICTED**

**E RESEARCH**

E1 The Socio-Economic Impact of Informal Settlement Relocation: The Case of Thembelihle, Masters Thesis by Ngoako Daniel Molokomme, 01/2004

**F MISCELLANEOUS**

F1 Customary marriages - handwritten notes.

F2 Section 155 (2) report by the appointed social worker for consideration by the Children's Court.