

probleme moes oplos, dit doen sonder om die skool te omskep - maar dit is nog nie die toets vir mala fides nie. Artikel 56 soos gewysig (en met 'n aanduiding van 'n beleid wat enkelmediumskole bo parallelmediumskole verkies) gee aan die Administrateur feitlik 'n absolute administratiewe diskresie.

Om te bewys dat die Administrateur mala fide opgetree het, moet daar getuienis wees dat hy in werklikheid 'n ander oogmerk gehad het as die oplossing van 'n onderwysprobleem, of dat sy optrede so onredelik was dat hy 'n ander oogmerk moes gehad het. 10

Dit het die Applikante na my mening nie bewys nie.

Weens sekere erkennings namens die Applikante is deur die Respondent nie voortgegaan met 'n aansoek tot deurhaling van sekere paragrawe van die antwoordende verklaring van Applikante nie.

Die aansoek van Applikante word afgewys met koste.

(Get) F. RUMPF

20

REGTER VAN DIE HOOGGEREGSHOF VAN S. A.

IN THE SUPREME COURT OF SOUTH AFRICA  
(Transvaal Provincial Division)

BEFORE the Honourable Mr. Justice RUMPF. F.

PRETORIA, Thursday the 27th day of FEBRUARY, 1958.

In the matter between:

JAMES DONOVAN RICHARDSON & 4 OTHERS,

Applicants, -

and

THE ADMINISTRATOR OF THE TRANSVAAL PROVINCE

Respondent.

HAVING on the 4th and 5th days of FEBRUARY, 10  
1958, heard Mr. H. J. Hanson, Q.C., with him Mr. L. Lazar,  
of Counsel, for the applicants, and Mr. F. Badenhorst, Q.C.  
with him Mr. W. Human, Q.C. and Mr. J.J. Strydom, of  
Counsel, for the respondents, and having read the petition  
and affidavits filed;

THE COURT RESERVED JUDGMENT:

THEREAFTER ON THIS DAY:

THE COURT DISMISSES THE APPLICATION AND  
ORDERS:

1. That the Applicants pay the costs of this 20  
application but that only two Counsel be  
allowed to the Respondent;
2. That in respect of the 17th and 24th Jan-  
uary, 1958, each party(ies) pay its/their  
own costs; and
3. That the Respondent pay the costs of today.

BY THE COURT.

(Sgd) L. BARRY  
ASST. REGISTRAR.

IN THE SUPREME COURT OF SOUTH AFRICA  
(APPELLATE DIVISION)

In the matter between:

JAMES DONOVAN RICHARDSON

HENDRIK JOHANNES WEYERS

known as OSCAR WEYERS

DENYS PETER CAITHNESS

THE SCHOOL COMMITTEE OF THE  
HENDRIK VAN DER BIJL SCHOOL

Appellants  
(Applicants)

and

THE ADMINISTRATOR OF THE TRANSVAAL PROVINCE

10

Respondent.

NOTICE OF APPEAL

PLEASE TAKE NOTICE that the Appellants (Applicants a quo note an Appeal against the whole of the Order granted by the Honourable Mr. Justice Rumpff in the Supreme Court of South Africa (Transvaal Provincial Division) on the 27th day of FEBRUARY, 1958, in the above matter in which the application was dismissed with costs.

The parties hereto have consented to this matter proceeding direct to the above Honourable Court.

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(Sgd) H. NANKIN  
HENDRY NANKIN,  
ATTORNEY FOR APPELLANTS,  
204/208 Poynton's Building,  
Church Street,  
PRETORIA.

To: The Registrar of the Appellate Division,  
BLOEMFONTEIN.

And to: The Registrar of the Supreme Court,  
PRETORIA.

And to: STATE ATTORNEY,  
Veritas Building,  
Fountain Lane,  
PRETORIA.

201.

NOTICE OF WITHDRAWAL FROM  
APPEAL BY THIRD AND FOURTH  
APPLICANTS

IN THE SUPREME COURT OF SOUTH AFRICA  
(APPELLATE DIVISION)

In the matter between:

JAMES DONOVAN RICHARDSON

HENDRIK JOHANNES WEYERS  
known as OSCAR WEYERS

DENYS PETER CAITHNESS

THE SCHOOL COMMITTEE OF THE  
HENDRIK VAN DER BIJL SCHOOL

Appellants  
(Applicants)

and

10

THE ADMINISTRATOR OF THE TRANSVAAL PROVINCE

Respondent

---

NOTICE OF WITHDRAWAL FROM APPEAL BY THIRD  
AND FOURTH APPLICANTS

BE PLEASED TO TAKE NOTICE that Third and Fourth  
Applicants do hereby withdraw from the Appeal noted in the  
abovementioned matter.

DATED at PRETORIA, this 17th day of MARCH, 1958.

(Sgd) H. NANKIN  
HENRY NANKIN,  
ATTORNEY FOR APPELLANTS,  
204/208 Poynton's Building,  
Church Street,  
PRETORIA.

20

To:  
The Registrar of the Appellate Division,  
BLOEMFONTEIN.

To:  
The Registrar of the Supreme Court,  
PRETORIA.

And to:  
STATE ATTORNEY,  
Veritas Building,  
Fountain Lane,  
PRETORIA.



202.

REGISTRAR'S CERTIFICATE

CERTIFICATE

I certify the foregoing to be a true copy of  
the original record filed in this Office.

E. J. WHITE

REGISTRAR OF THE SUPREME COURT  
TRANSVAAL PROVINCIAL DIVISION

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