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E. Raubenheimer  
06/12/2023

IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG LOCAL DIVISION, JOHANNESBURG

Case No: 126353 / 2023

ON THE 06<sup>TH</sup> DAY OF DECEMBER 2023

BEFORE THE HONOURABLE RAUBENHEIMER AJ

In the *ex parte* application of:

THE CITY OF JOHANNESBURG METROPOLITAN  
MUNICIPALITY

Applicant

And

THE UNKNOWN INDIVIDUALS TRESPASSING AND/OR  
ATTEMPTING TO INVADE AND/OR SETTLE ON THE  
IMMOVEABLE PROPERTY DESCRIBED AS SOUTHERN FARMS

Respondents

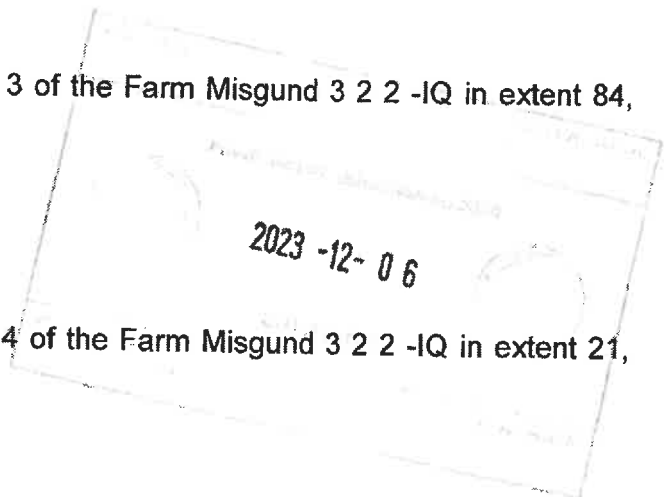
DRAFT ORDER

Having read the documents filed of record and having heard Counsel for the Applicant:

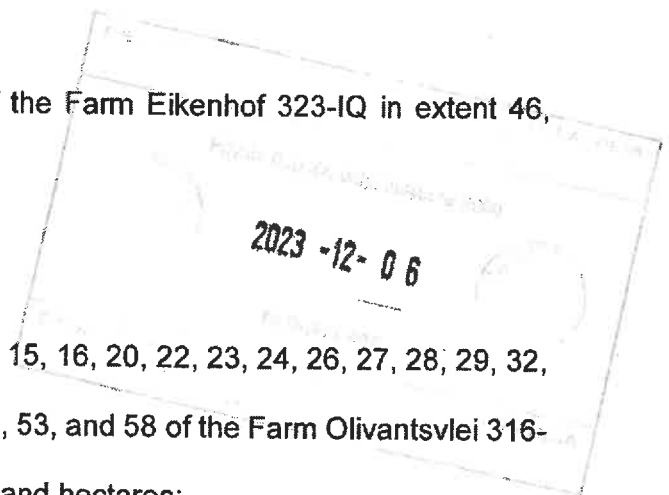
IT IS ORDERD THAT:

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1. The matter is heard as one of urgency in terms of rule 6(12) of the uniform rules of court and the forms of service and the time period prescribed in the uniform rules of court is dispensed with.
2. The Respondents are interdicted from demarcating any portions of the vacant farms listed below:
  - 2.1. Remainder of portion 2 of the Farm Misgund 3 2 2 -IQ in extent 562, 5532 Hectares;
  - 2.2. Remainder of Portion 3 of the Farm Misgund 3 2 2 -IQ in extent 84, 5945 Hectares;
  - 2.3. Remainder of Portion 4 of the Farm Misgund 3 2 2 -IQ in extent 21, 0195 Hectares;
  - 2.4. Remainder of Portion 14 of the Farm Misgund 3 2 2 -IQ in extent 108, 5797 Hectares;
  - 2.5. Remainder of Portion 83 of the Farm Misgund 3 2 2 -IQ in extent 115, 1124 Hectares;



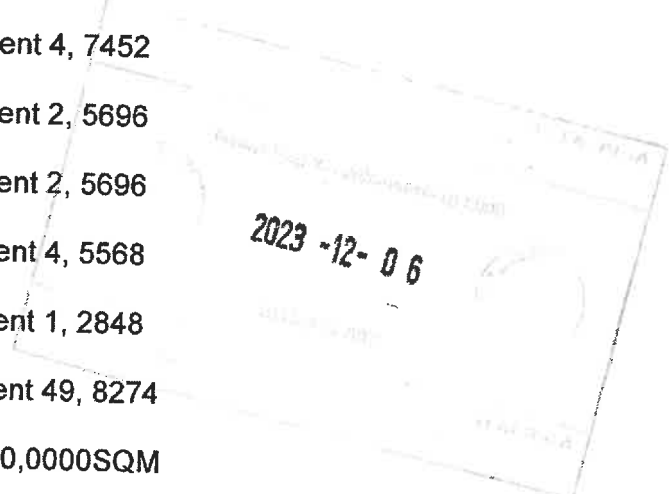
- 2.6. Remainder of Portion 121 of the Farm Misgund 3 2 2 -IQ in extent 57, 8447 Hectares;
- 2.7. Remainder of Portion 76 of the Farm Eikenhof 323-IQ 5, 7490 Hectares;
- 2.8. Remainder of Portion 81 of the Farm Eikenhof 323-IQ in extent 263, 7908 Hectares;
- 2.9. Remainder of Portion 84 of the Farm Eikenhof 323-IQ in extent 24, 2419 Hectares;
- 2.10. Remainder of Portion 88 of the Farm Eikenhof 323-IQ in extent 46, 8575 Hectares;
- 2.11. Portions 1, 3, 5, 6, 8, 13, 14, 15, 16, 20, 22, 23, 24, 26, 27, 28, 29, 32, 35, 36, 41, 46, 49, 50, 51, 52, 53, and 58 of the Farm Olivantsvlei 316-IQ have the following extent and hectares:



- 2.11.1. Portion 1 with extent 10, 4397

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- 2.11.2. Portion 3 with extent 13, 3633
- 2.11.3. Portion 5 with extent 4, 3469
- 2.11.4. Portion 6 with extent 3, 9386
- 2.11.5. Portion 8 with extent 8, 8537
- 2.11.6. Portion 13 with extent 3, 6874
- 2.11.7. Portion 14 with extent 6, 3640
- 2.11.8. Portion 15 with extent 8, 6809
- 2.11.9. Portion 16 with extent 4, 2412
- 2.11.10. Portion 20 with extent 1, 4332
- 2.11.11. Portion 22 with extent 1, 8844
- 2.11.12. Portion 23 with 9679,0000SQM
- 2.11.13. Portion 24 with extent 1, 2591
- 2.11.14. Portion 26 with 9736,0000SQM
- 2.11.15. Portion 27 with extent 2, 7566
- 2.11.16. Portion 28 with extent 2, 3554
- 2.11.17. Portion 29 with extent 2, 9165
- 2.11.18. Portion 32 with extent 4, 7452
- 2.11.19. Portion 35 with extent 2, 5696
- 2.11.20. Portion 36 with extent 2, 5696
- 2.11.21. Portion 41 with extent 4, 5568
- 2.11.22. Portion 46 with extent 1, 2848
- 2.11.23. Portion 49 with extent 49, 8274
- 2.11.24. Portion 50 with 1570,0000SQM
- 2.11.25. Portion 51 with 1570,0000 SQM
- 2.11.26. Portion 52 with extent 4, 5567



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2.11.27. Portion 53 with 7398,0000 SQM

2.11.28. Portion 58 with extent 12, 5398

2.12. Remainder of Portion 11 of Farm Olifantsvlei 316-IQ in extent 9, 3998 Hectares;

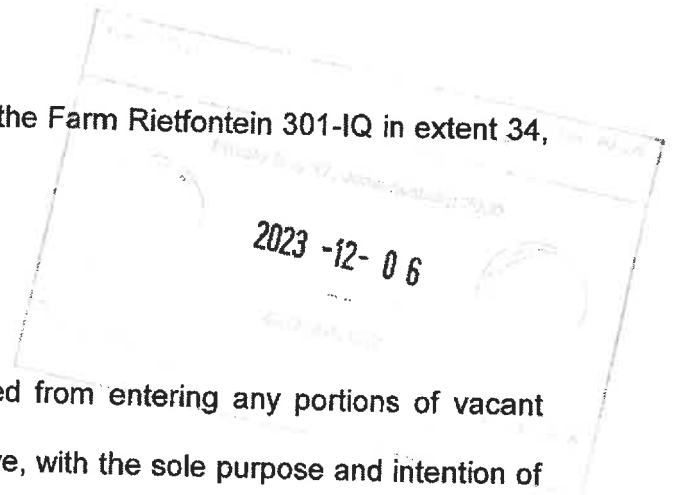
2.13. Remainder of Portion 19 of the Farm Olifantsvlie 316-IQ in extent 4, 5510 Hectares;

2.14. Remainder of Portion 40 of the Farm Olifantsvlei 316-IQ in extent 2, 3911 Hectares;

2.15. Portion 18 of the Farm Rietfontein 301-IQ in extent 49, 4889 Hectares;  
and

2.16. Remainder of Portion 19 of the Farm Rietfontein 301-IQ in extent 34, 7994 Hectares.

3. The Respondents are interdicted from entering any portions of vacant farms listed in paragraph 2 above, with the sole purpose and intention of invading the vacant farm portions.



4. The Respondents are interdicted from intimidating, threatening, assaulting and/or harassing any of the employees, staff members and/or officials of the Applicant whose functions and responsibilities are to prevent any act(s) of land invasion.
5. The Respondents are interdicted from convening or holding a meeting on the vacant farm portions.
6. That a *rule nisi* is issued calling upon the Respondents on **05 March 2024** why the following orders should not be final:
  - 6.1. That the Respondents are interdicted from building or erecting any structure on any portion of the vacant farms listed in paragraph 2 above.
  - 6.2. That the Respondents are interdicted from residing on any portion of the vacant farms listed in paragraph 2 above.
7. That the orders in paragraphs 6.1 to 6.2 above are to serve as interim interdict against the Respondents pending final determination of the issues on the return date.

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8. That the Johannesburg Metro Police Department ("JMPD") is hereby authorised to remove any other newly erected or built structure(s) on the vacant farm portion as listed in paragraph 2 above pursuant the granting of this order.
  
9. This Order and the application are to be served as follows: -
  - 9.1. The Sheriff of this Honourable Court is authorised to serve the Court Order, by attaching same on tress and poles around vacant farms portions listed in paragraph 2 above.
  
  - 9.2. The Applicant is authorised to publish the Court Order in the Regional media outlets in and around the vacant farm portions listed in paragraph 2 above.
  
  - 9.3. By posting this Court Order and the application on the official website of the Applicant, [www.joburg.org.za](http://www.joburg.org.za)
  
10. The Respondents are entitled to anticipate the return date after 48 hours on written notice to the Applicant's attorneys.
  
11. No order as to costs.

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THE REGISTRAR

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