


IN THE HIGH COURT OF SOUTH AFRICA  
(WESTERN CAPE DIVISION, CAPE TOWN)

'X'  
9/11/2023  


Case Number: 19945/23

BEFORE THE HONOURABLE MS ACTING JUSTICE HOLDERNESS  
AT CAPE TOWN: ON THURSDAY, 9 NOVEMBER 2023

In the matter between:

**MEMBER OF THE EXECUTIVE COUNCIL FOR  
EDUCATION OF THE WESTERN CAPE PROVINCE**

First Applicant

**CITY OF CAPE TOWN**

Second Applicant

and

**OOSTENBERG LOCAL FOOTBALL ASSOCIATION**

First Respondent

**ALL MEMBERS OF, AND PERSONS WHO ASSOCIATE  
THEMSELVES WITH THE CONDUCT AND AIMS OF THE  
FIRST RESPONDENT**

Second Respondent

**THOSE PERSONS WHOSE IDENTITIES ARE TO THE APPLICANT  
UNKNOWN AND WHO ARE RESTRICTING AND OR INTENDING  
TO RESTRICT THE APPLICANT'S ACCESS TO ERF 25109,  
KRAAIFONTEIN, COMMONLY KNOWN AS  
THE BLUERIDGE SPORTS GROUNDS**

Third Respondent

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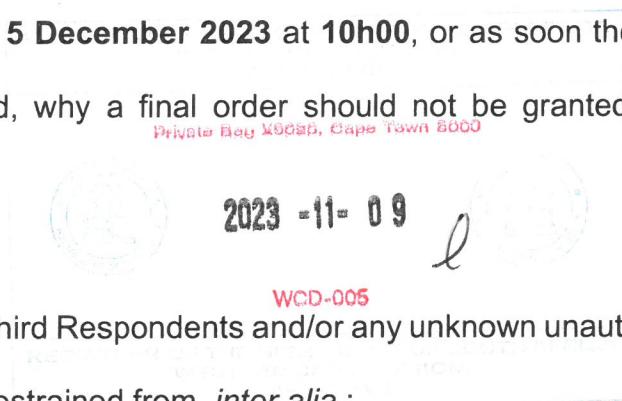
**ORDER**

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**AFTER READING** the documents filed, and hearing Counsel for the Applicant, **IT IS ORDERED THAT:**

1. This matter is dealt with as one of as one of urgency in accordance with the provisions of Rule 6(12)(a), dispensing insofar as may be necessary with the rules relating to form, service and time periods.

2. A rule *nisi* is hereby issued calling upon the First, Second and Third Respondents to show cause, if any, on **Tuesday, 5 December 2023 at 10h00**, or as soon thereafter as the Application may be heard, why a final order should not be granted in the following terms:



2.1 That the First, Second and Third Respondents and/or any unknown unauthorised persons be interdicted and restrained from, *inter alia*,:

2.1.1 Entering or being upon **ERF 25109, KRAAIFONTEIN, COMMONLY KNOWN AS BLUERIDGE SPORTS GROUNDS** situated between Sisulu Street and Thakudi Road, Kraaifontein, (**“the property”**) without the express permission of the First Applicant, the lawful owner of the property;

2.1.2 damaging any of the Applicants’ assets and/or facilities which may be located upon the property;

2.1.3 intimidating, threatening, harassing or assaulting or in any way interfering with the Applicants’ Officials, and/or building subcontractors and/or any persons acting on their behalf and/or lawful users of the property, including members of the public utilising the property;

2.1.4 preventing the Applicants' Officials, and/or building subcontractors and/or any persons acting on their behalf and/or lawful users of the property, including members of the public persons, from entering or leaving the property;

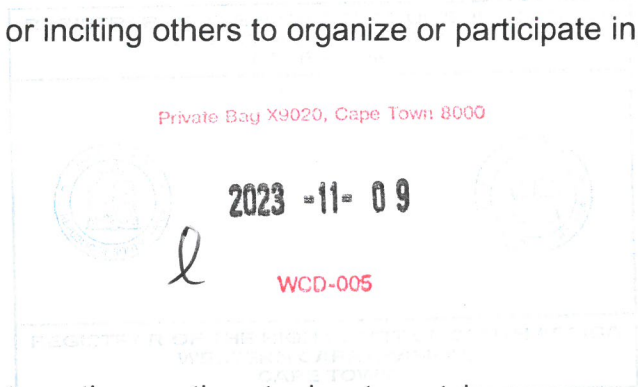
2.1.5 persons from entering or leaving the property;

2.1.6 obstructing the entrances to and exits from the property;

2.1.7 committing any acts which are in any way wrongful or unlawful or disruptive and may cause any disruption to the Applicants' activities and/or business conducted on the property;

2.1.8 organizing or participating in, or inciting others to organize or participate in, any unlawful conduct; and

2.1.9 inciting violence.



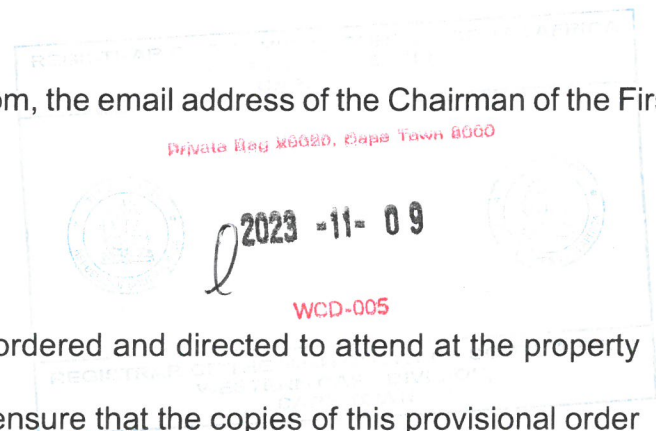
3. That in the event of the Respondents acting or threatening to act in a manner contrary to the relief as prayed for in paragraph 2.1.1 – 2.1.9 above, the Applicants and/or persons acting on their behalf and/or the Law Enforcement Unit of the City of Cape, shall be authorised and directed to take all reasonable steps necessary to enforce the terms of this order, including (but not restricted to) the removal of any persons who may have gained entry to the property in contravention of this order.

4. That the relief set out in 2.1.1 – 2.1.9 (*“the interim relief”*) above shall operate as an interim interdict with immediate effect, pending the final determination of this application.

5. Service of this provisional order shall be effected as follows:

5.1 By the Sheriff of this Honourable Court by affixing copies of the provisional order at no less than 8 (Eight) prominent points surrounding the boundary of the property; and

5.2 By email to [ruthulal@gmail.com](mailto:ruthulal@gmail.com), the email address of the Chairman of the First Respondent, Mr L Ruthula.



6. A representative of the Applicants is ordered and directed to attend at the property for a period of 5 consecutive days to ensure that the copies of this provisional order remain affixed, as aforesaid.

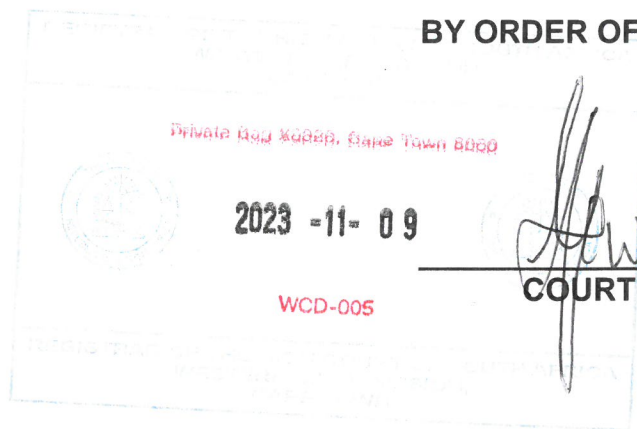
7. The Applicants are directed to report by way of affidavit on or before the return date of this matter, with regard to the service of this provisional order.

8. The Applicants are granted leave to amplify its papers, if needs be, prior to the return day.

9. A copy of the founding papers in this matter can be obtained by any party cited herein and/or any affected party via email, which request must be sent to [Janine@capetownattorney.co.za](mailto:Janine@capetownattorney.co.za).

10. Any party affected by the above order may anticipate the return day on 24 hours' written notice which must be delivered to Janine@capetownattorney.co.za.
  
11. Costs shall stand over for later determination.

**BY ORDER OF THE COURT**



Private Reg. KQ928, Cape Town 8000

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WCD-005

*A. Lewis*

**COURT REGISTRAR**

**MYBURGH ATTORNEYS INCORPORATED: MS JANINE MYBURGH, 2, 2nd Avenue, Boston, Bellville, Cape Town Tel: (021) 945 4960, Janine@capetownattorney.co.za, C/O Maurice Phillips Wisenberg, 20th Floor, 2 Long Street, Cape Town, HC BOX NO: 32**