

LEGAL DOCUMENTS

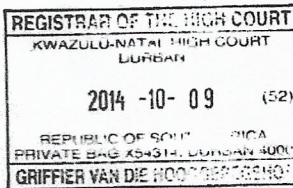
High Court Case Noise Respondents

**IN THE HIGH COURT OF SOUTH AFRICA
DURBAN AND COAST LOCAL DIVISION
KWAZULU NATAL**

Case No. 11740/2014

In the matter between: -

Izak Labuschagne



1st Applicant

And

Minister of Justice

1st Respondent

The OC SAPS Tuzi Gazi Waterfront

2nd Respondent

The CEO, Umhlatuze Municipality

3rd Respondent

The CEO, KZN Liquor Board

4th Respondent

Donald Bruins-lich
Mariners Seafood and Sushi Restaurant

[Handwritten signature]

5th Respondent

*10/10/2014
13H25*

Rob Hughes
(Tuzi Gazi Waterfront Development)

6th Respondent

Port Manager Richards Bay
Transnet National Ports Authority (TNPA)

*10/10/2014 12:58
Xulu*

7th Respondent

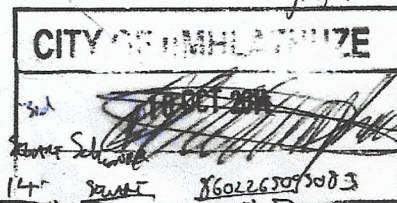
Jaco Koontzen
(Slipway Bar)

*Received 12/10/14
[Handwritten signature]*

8th Respondent

90222597609

Mike French



9th Respondent

Stuart Schamich
Kings Club

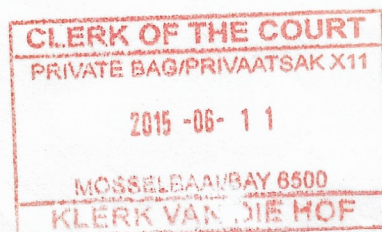
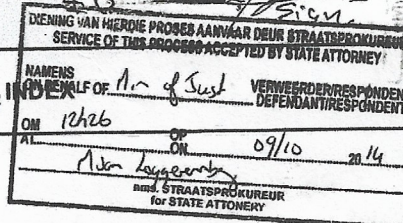
*received 12/10/14
Date NAME*

10th Respondent

10-10-2014



11:15 am



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Protection Order against TNPA Harbour Master

J62



REPUBLIC OF SOUTH AFRICA

FORM 3
[Regulation 4]
INTERIM PROTECTION ORDER

SECTION 3(2) OF THE PROTECTION FROM HARASSMENT ACT, 2011 (ACT NO. 17 OF 2011)

(*Delete whichever is not applicable)

Take note: In terms of section 10(4) of the Protection from Harassment Act, 2011, the physical, home and work address of the complainant or related person must be omitted from the protection order (including any reference to such an address in documents annexed to the interim protection order), unless the nature of the terms of the order necessitates the inclusion of the address.

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF <u>Lower Umfolozi</u>	
HELD AT <u>Empangeni</u>	APPLICATION NO. <u>379/14</u>
In the matter between:	
<u>Labuschagne Izak Hermanus</u>	(Complainant)
AND	
<u>Mkhize Nompumelelo</u>	(Respondent)

1. PARTICULARS OF RESPONDENT

Name and surname: Mkhize Nompumelelo
 Address: Deputy Harbour Masters Office Transnet
National ports authority Richards Bay
 Contact number (telephone number/cellular phone number/facsimile number/e-mail address (whichever is available)): 035 905 3131

CERTIFIED A TRUE COPY OF THE ORIGINAL DOCUMENT

LANDROS
DOMESTIC VIOLENCE
2014-10-01
EMPANGENI
MAGISTRATE

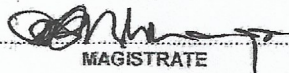
2. PARTICULARS OF APPLICATION


The complainant applied for a protection order against the respondent in terms of the Protection from Harassment Act, 2011 (Act No. 17 of 2011). This court, after considering the application, issued an interim protection order against the respondent.

Protection Order against TNPA Harbour Master (Warrant)

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4. The respondent is called upon to show cause on 21/10/14 (the return date) at (time) at the abovementioned court, why the court should not issue a final protection order.
5. The return date specified in paragraph 4, above, may be anticipated by the respondent on not less than 24 hours' notice to the applicant and the court.
6. If the respondent does not appear on the return date and if the court is satisfied that —
(a) proper service has been effected on the respondent; and
(b) the application contains *prima facie* evidence that the respondent has engaged or is engaging in harassment,
the court must issue a final protection order.
7. A copy of the application of the complainant and the record of any evidence noted during proceedings are attached for the information of the respondent.
8. In terms of section 16 of the Act the court may make an order as to costs against a party if it is satisfied that the party in question has acted frivolously, vexatiously or unreasonably.
9. In terms of sections 3(3) and 15(a) of the Protection from Harassment Act, 2011, Station Commander (name and surname), who is a "clerk of court"/"sheriff"/"peace officer" is hereby directed to serve the interim protection order, a copy of the application for a protection order and the record of evidence noted on the respondent in accordance with regulation 28 of the Protection from Harassment Regulations, 2013.


MAGISTRATE

MAGISTRATE	
Private Bag X23023, Empangeni 3380	
	2014-10-01 DATE
ONE	
EMPANGENI MAGISTRATE'S COURT	
Office stamp	

TAKE NOTE:

- (a) A warrant of arrest has been authorised for the arrest of the respondent, the execution of which is suspended subject to the respondent's compliance with any specified prohibition, condition, obligation or order contained in this protection order.
- (b) A respondent who contravenes any specified prohibition, condition, obligation or order contained in the protection order is in terms of section 18(1)(a) of the Protection from Harassment Act, 2011, guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding five years.

Protection Order against TNPA Harbour Master (Chargges)

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3. PARTICULARS OF INTERIM PROTECTION ORDER

In terms of the interim protection order:

3.1 The respondent is prohibited by this court from —

(a) engaging in or attempting to engage in harassment of —

* (i) the complainant; and/or

* (ii) the following related person/s:

- Intimidate or harass the complainant and/or her family
- as described in paragraphs 7.1 and 7.2 of the application.

* (b) enlisting the help of another person to engage in harassment of the complainant and/or above related person/s; and/or

* (c) committing any of the following act/s:

(i)

(ii)

(iii)

*3.2 The court imposes the following additional conditions that are necessary to protect and to provide for the safety and well-being of the complainant or related person/s:

(a)

(b)

(c)

*3.3 The court orders:

* (a)	That a member of the South African Police Service is to seize the following weapon(s):
* (b)	That a member of the South African Police Service is to accompany the complainant or related person to the following residence:..... to supervise the collection of the complainant's or related person's personal property set out in paragraph 5 of the application for a protection order, and such member is authorised to take all reasonable steps to effect the collection of the said property.

Criminal cases

SAPS Cases by and reactionary against Izak Labuschagne							
Complainant	Defendant	Case No	Inv. Office	Cell	Charges	Notes	Hearing date
Izak	Mariners	362/07	RB		Provocation Harassment Crimes Injuria Theft of keys	not prosecuted - Review	01-Dec-14
Mariners staff	Izak	363/07	RB		Assault (Reactionary)	To be heard parris passu with 362/07	01-Dec-14
SAPS	Izak	183/10	RB		crimes Injuria Assault verbal	To be heard parris passu with 563/10	01-Dec-14
Izak	SAPS	563/10	Emp - RB		Provocation (Reactionary) Intimidation Contempt Obstructing process Defeating ends of justice	To be heard parris passu with 363/07	01-Dec-14
Nicki	Brulnslich	562/10	E - RB		Intimidation (Reactionary) Provocation Harassment Unlawful entry Attempted damage to property	To be suspended pending settlement	
Izak	Hughes	564/10	E -RB		Crimes Injuria Provocation Harassment	To be suspended pending settlement	
Izak	H Master	32/10	E-RB		Crimes Injuria Harassment	Withdrawn Withdrawn	
French		379/14	Prot Order		Intimidation Harassment	To be suspended pending settlement	
Izak	Taylor	384/14	E - RB Prot Order		Crimes Injuria Contempt	To be suspended pending settlement	

SAPS WW Committal

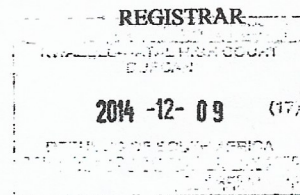
IT IS ORDERED

That a rule nisi do issue calling upon the 2nd respondents to show cause on 18 December 2014 why an order should not be granted in terms of :

1. That This Honourable Court grant a decree committing the 2nd respondent for contempt of Court, and that the writ of commitment for contempt attached to this Notice of Motion as annexure "A" be issued by the Registrar of this Honourable Court.
2. That This Honourable Court grant a decree committing the SAPS officers of 2nd respondent appearing on the video evidence provided to this Honourable Court by Applicant for contempt of Court, and that the writ of commitment for contempt attached to this Notice of Motion as annexure "B" be issued by the Registrar of this Honourable Court.
3. Such other or alternative order as to this honourable Court seems fit in the circumstances as set out in the founding affidavit to this Notice of Motion.

BY ORDER OF THE COURT

T Mahomed Hanif
T MAHOMED HANIF



IN PERSON
/jd