



THE SUPREME COURT OF APPEAL
REPUBLIC OF SOUTH AFRICA

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

From: The Registrar, Supreme Court of Appeal
Date: 29 May 2007
Status: Immediate

NOMTHANDAZO CHAGI & OTHERS v SINGISI FOREST PRODUCTS

Please note that the media summary is intended for the benefit of the media and does not form part of the judgment of the Supreme Court of Appeal

Today, the Supreme Court of Appeal (the SCA) has delivered judgment confirming the order issued by the Land Claims Court which dismissed an appeal brought by the appellants against a judgment of the magistrate at Harding, KwaZulu-Natal. The appellants had approached the magistrate's court for an interdict restraining the respondent, their employer, from relocating them from one set of houses to another within the same registered land unit.

They had claimed that the employer was bound to comply with the requirements of s 9 of the Extension of Security of Tenure Act 62 of 1997, before it could relocate them. The section requires, inter alia, that

occupiers of land be given a two months' notice to the effect that the landowner would apply to court for an eviction order and that a report by a probation officer be compiled, showing whether there was suitable alternative accommodation available for the evicted occupiers.

The magistrate had ruled that since the appellants were being moved within one piece of land, the provisions of s 9 did not apply to their case. The SCA agreed that indeed the section does not apply and dismissed the appeal.