



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: 18 March 2015

Status: Immediate

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

CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY & OTHERS v P
HLOPHE & OTHERS

Changing Tides Properties 74 (Pty) Ltd (Changing Tides) is the owner of a building situated in the centre of Johannesburg. The building is unlawfully occupied by approximately 183 poor and homeless persons (the occupiers). Changing Tides obtained an order of eviction of the occupiers from the building. The eviction order was to take effect only after the City of Johannesburg Metropolitan Municipality (the City) provided the occupiers with temporary shelter. The City consented to orders of the high court to do so, but for a period of approximately a year consistently failed to comply with the orders without proper explanation. The high court accordingly granted an order obliging the executive mayor, city manager and director of housing of the City to ensure that the City complies with the orders to provide temporary shelter to the occupiers. Today the SCA dismissed an appeal against this order. The SCA held that the executive mayor, city manager and director of housing are statutorily obliged to ensure compliance by the City with the orders against it and that the order against them was competent and appropriate.

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