

SOUTH AFRICA / JUDGMENT

Nduna v Premier of Eastern Cape and Others (4009/2015) [2021] ZAECHGC 65 (20 July 2021)

[2021] ZAECHGC 65

COURT

Eastern Cape High Court, Grahamstown

BEFORE

Swartbooi

CASE / FILE NUMBER

4009/2015

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IN THE HIGH COURT OF SOUTH AFRICA

EASTERN CAPE DIVISION - GRAHAMSTOWN

CASE NO: 4009/2015

In the matter between

BANTUBONKE NDUNA APPLICANT

and

THE PREMIER OF EASTERN CAPE FIRST RESPONDENT

EASTERN CAPE MEMBER OF THE

EXECUTIVE COUNCIL FOR LOCAL

GOVERNMENT AND TRADITIONAL

AFFAIRS SECOND RESPONDENT

COMMISSION ON TRADITIONAL

LEADERSHIP DISPUTES AND CLAIMS THIRD RESPONDENT

EASTERN CAPE PROVINCIAL COMMITTEE

OF THE COMMISSION ON TRADITIONAL

LEADERSHIP DISPUTES AND CLAIMS

FOURTH RESPONDENT

EASTERN CAPE PROVIINCIAL HOUSE
OF TRADITIONAL LEADERS FIFTH RESPONDENT
MNCEDISI JONGULUNDI GUNGUBELE SIXTH RESPONDENT
THSATSHU TRADITIONAL COUNCIL
COFIMVABA SEVENTH RESPONDENT
WESTERN TEMBULAND REGIONAL
COUNCIL/AUTHORITY EIGHTH RESPONDENT
KING OF ABATHEMBU NINTH RESPONDENT
CASE NO: 4010/2015
THE PREMIER OF THE PROVINCE OF
EASTERN CAPE
FIRST RESPONDENT
EASTERN CAPE MEMBER OF THE EXECUTIVE
COUNCIL FOR LOCAL GOVERNMENT AND
TRADITIONAL AFFAIRS SECOND RESPONDENT
COMMISSION ON TRADITIONAL LEADERSHIP
DISPUTES AND CLAIMS
THIRD RESPONDENT
OF THE COMMISSION OF TRADITIONAL
EASTERN CAPE PROVIINCIAL HOUSE OF
TRADITIONAL LEADERS
FIFTH RESPONDENT
NKOSIPHENDULE MTIRARA
SIXTH RESPONDENT
PHINDISILE JONGIXHANTI MTIRARA
SEVENTH RESPONDENT
HALA TRADITIONAL COUNCIL LADY FRERE EIGHTH RESPONDENT
XOLILE MFANTA NINTH RESPONDENT

NONESI TRADITIONAL COUNCIL LADY FRERE TENTH RESPONDENT

WESTERN TEMBULAND REGIONAL COUNCIL

AUTHORITY ELEVENTH RESPONDENT

KING OF ABATHEMBU TWELFTH RESPONDENT

JUDGEMENT:

APPLICATION FOR LEAVE TO APPEAL

1. The applicant (Mr Bantubonke Nduna) seeks leave to appeal against my judgement that was delivered on the 17th June 2021.
2. The applicant who is a legal lay person persists in representing himself. This includes the drafting of his application papers and Court appearances. Unfortunately, this has manifested particularly in his written application for leave to appeal.
3. Nevertheless, I am alive to the circumstances under which leave to appeal may be granted in terms of Section 17 the Superior Courts Act.
4. I have considered the applicants written application for leave to appeal and his representations before me.
5. For the reasons set out in my judgement, I am of the view that there are no reasonable prospects that another Court would find differently from the orders I have made in case no: 4010/2015 and in case no: 4009/2015.
6. In the result, I am satisfied that an appeal would not have reasonable prospects of success, and the application for leave to appeal is accordingly dismissed.

Order:

In the result, I make the following order.

I am not satisfied that an appeal would have reasonable prospects of success, and the applications for leave to appeal in case no: 4010/2015 and in case no: 4009/2015 are accordingly dismissed.

SWARTBOOI AJ

HIGH COURT ACTING JUDGE

HEARD ON

: 09TH JULY 2021

DELIVERED ON

: 20TH JULY 2021

FOR THE APPLICANT

: IN PERSON

FOR 1, 2, 3 AND 5 RESPONDENTS : NO APPEARANCE

STATE ATTORNEY

C/O MASEKO TILANA INC

FOR 6 AND 7 RESPONDENTS

IN CASE NO: 4009/2015 : NO APPEARANCE

FIHLA & ASSOCIATES

C/O M GODOLOZI ATTORNEYS

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ORIGINAL SOURCE <https://www.saflii.org/za/cases/ZAECGHC/2021/65.html>

CASE PAGE <https://chat.esheria.ai/case-law/south-africa/nduna-v-premier-of-eastern-cape-and-others-unknown-topic-aecghc-2021>

Prepared on 11 October 2026 · Esheria