

IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA
(HELD AT BRAAMFONTEIN, JOHANNESBURG)

CC Case No.: 212/17
SCA Case No.: 423/17
WCHC Case No.: 5283/16

In the application of:

- NASREEN RAJAB-BUDLENDER
- NOZIZIWE SILINDILE VUNDLA
- MICHELLE ANN CRYSTAL HUBER
- CAROL KHOLEKA ZAMA
- PENELOPE JOY PARENZEE
- TEBOHO BASETSANA MOLEBATS
- NICOLE LOUISE FRITZ

Acting in their capacity as

WOMEN'S LEGAL CENTRE TRUST

Amicus Curiae

to be admitted as *amicus curiae* in the matter between:

- | | |
|-------------------------------|--------------------|
| RIAAN MOGAMAT AMARDIEN | First Applicant |
| TASSANDRA ANNE APRIL | Second Applicant |
| ASHEEQAH DAMON | Third Applicant |
| ROEWAYDA JOCHEMS | Fourth Applicant |
| LOUISE PRIMOE | Fifth Applicant |
| MARGARETH ROMAN | Sixth Applicant |
| CASSIEM SAPAT N.O. | Seventh Applicant |
| CYNTHIA ARENDSE | Eighth Applicant |
| CRAIG CLOETE | Ninth Applicant |
| FAIZA GASANT | Tenth Applicant |
| WARREN KOEN | Eleventh Applicant |
| KASFICAH SMITH | Twelfth Applicant |

and

THE REGISTRAR OF DEEDS

First Respondent

SHAUN WINGERIN N.O.

Second Respondent

GRAEME MICHAEL SCKOLNE N.O.

Third Respondent

NICOLA MARTINE COHEN N.O.

Fourth Respondent

**THE CAPE TOWN COMMUNITY HOUSING
COMPANY (PTY) LTD**

Fifth Respondent

and

DEPARTMENT OF HUMAN SETTLEMENTS

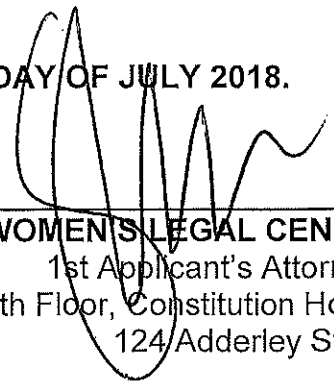
Amicus Curiae

FILING SHEET

KINDLY TAKE NOTICE THAT the Applicants hereby file the following documents to supplement its application to be admitted as *amicus curiae* in the above matter:

1. Supplementary affidavit of **SEEHAAM SAMAAI**, dated 26 July 2018;
2. Confirmatory affidavit of **HARSHA ZOË GIHWALA**, dated 26 July 2018;
3. Confirmatory affidavit of **DAVID VAUGHAN MALLINSON**, dated 26 July 2018; and
4. Proof of service on the *amicus curiae*, the Department of Human Settlements, attached at 'A'.

SIGNED AND DATED AT CAPE TOWN ON THIS 26TH DAY OF JULY 2018.



WOMEN'S LEGAL CENTRE
1st Applicant's Attorneys
7th Floor, Constitution House
124 Adderley Street

Cape Town
REF: MS S SAMAAI
Tel: (021) 424 5660
seehaam@wlce.co.za

c/o **WITS LAW CLINIC**
Braamfontein Campus West
University of The Witwatersrand
1 Jan Smuts Avenue
Braamfontein
Johannesburg
Ref: LAB18/354/W

TO: THE REGISTRAR
Constitutional Court of South Africa
Braamfontein, Johannesburg

AND TO: LEGAL RESOURCES CENTRE
Attorneys for the First to Twelfth Applicants
3rd Floor Greenmarket Place
54 Shortmarket Street
Cape Town
(Ref: S Kahanovitz/C Mathiso)
c/o: **LEGAL RESOURCES CENTRE**
16th Floor, Bram Fischer Towers
20 Albert Street
Marshalltown
Johannesburg

AND TO: REGISTRAR OF DEEDS, CAPE TOWN
First Respondent
New Revenue Building Place
90 Plein Street
Cape Town
Email: lynette.muller@drdlr.gov.za

AND TO: ASHERSONS ATTORNEYS
Attorneys for Second, Third, and Fourth Respondents
Ashersons Chambers
34 Plein Street
Cape Town
(Ref: Andrew Goldschmidt)
Email: andrew@ashersons.co.za

AND TO: A PARKER & ASSOCIATES
Attorneys for the Fifth Respondent
Suite G06, Rostra House
The Forum
Century City
Cape Town
Ref: AP/AS/C0293
Email: ayesha@parkerlaw.co.za
c/o **WRIGHT ROSE-INNES INC**
96 Jan Smuts Avenue
Saxonworld
Johannesburg
Email: ravim@wri.co.za

AND TO: OFFICE OF THE STATE ATTORNEY, JOHANNESBURG
Attorneys for the Department of Human Settlements
10th Floor North State Building
95 Albertina Sisulu Street
Johannesburg
(Ref: 7037/17/P28)
Email: AMilford@justice.gov.za

IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA
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CC Case No.: 212/17
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to be admitted as *amicus curiae* in the matter between:

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CASSIEM SAPAT N.O.	Seventh Applicant
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and

THE REGISTRAR OF DEEDS

First Respondent

SHAUN WINGERIN N.O.

Second Respondent

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Fourth Respondent

THE CAPE TOWN COMMUNITY HOUSING
COMPANY (PTY) LTD

Fifth Respondent

and

DEPARTMENT OF HUMAN SETTLEMENTS

Amicus Curiae

UPDATED INDEX TO APPLICATION TO BE ADMITTED AS *AMICUS CURIAE*, 26
JULY 2018

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SIGNED AND DATED AT CAPE TOWN ON THIS 26TH DAY OF JULY 2018.



WOMEN'S LEGAL CENTRE
 1st Applicant's Attorneys
 7th Floor, Constitution House
 124 Adderley Street
 Cape Town
REF: MS S SAMAAI
 Tel: (021) 424 5660
seehaam@wlce.co.za
c/o WITS LAW CLINIC
 Braamfontein Campus West
 University of The Witwatersrand

1 Jan Smuts Avenue
Braamfontein
Johannesburg
Ref: LAB18/354/W

TO: THE REGISTRAR
Constitutional Court of South Africa
Braamfontein, Johannesburg

AND TO: LEGAL RESOURCES CENTRE
Attorneys for the First to Twelfth Applicants
3rd Floor Greenmarket Place
54 Shortmarket Street
Cape Town
(Ref: S Kahanovitz/C Mathiso)
c/o: **LEGAL RESOURCES CENTRE**
16th Floor, Bram Fischer Towers
20 Albert Street
Marshalltown
Johannesburg

LEGAL RESOURCES CENTRE	
(CAPE TOWN)	
Received copy hereof. <u>T. MAHA</u>	
Date: <u>26/07/18</u>	Time: <u>14H37</u>
Without Prejudice	

AND TO: REGISTRAR OF DEEDS, CAPE TOWN
First Respondent
New Revenue Building Place
90 Plein Street
Cape Town
Email: lynette.muller@drdlr.gov.za

 DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM
26 JUL 2018
90 PLEIN STREET CAPE TOWN, 8000 REGISTRAR OF DEEDS, CAPE TOWN

AND TO: ASHERSONS ATTORNEYS
Attorneys for Second, Third, and Fourth Respondents
Ashersons Chambers
34 Plein Street
Cape Town
(Ref: Andrew Goldschmidt)
Email: andrew@ashersons.co.za

ASHERSONS ATTORNEYS
2018 -07- 26
34 PLEIN STREET CAPE TOWN, 8001

[Signature]
14155

AND TO: A PARKER & ASSOCIATES
Attorneys for the Fifth Respondent
Suite G06, Rostra House
The Forum
Century City
Cape Town
Ref: AP/AS/C0293
Email: ayasha@parkerlaw.co.za
c/o **WRIGHT ROSE-INNES INC**

A. PARKER & ASSOCIATES
Date: 26.7.2018
Signature: NBRIDGE

96 Jan Smuts Avenue
Saxonworld
Johannesburg
Email: ravim@wri.co.za

AND TO: OFFICE OF THE STATE ATTORNEY, JOHANNESBURG
Attorneys for the Department of Human Settlements
10th Floor North State Building
95 Albertina Sisulu Street
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Second Respondent

GRAEME MICHAEL SCKOLNE N.O.

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NICOLA MARTINE COHEN N.O.

Fourth Respondent

**THE CAPE TOWN COMMUNITY HOUSING
COMPANY (PTY) LTD**

Fifth Respondent

SUPPLEMENTARY AFFIDAVIT

I, the undersigned,

SEEHAAM SAMAAI

do hereby make oath and state that:-

1. I am the Director of the Women's Legal Centre ('WLC') based at 7th Floor, Constitution House, 124 Adderley Street in Cape Town. I am duly authorised to depose to this affidavit.
2. The facts contained herein are within my personal knowledge unless the context indicates otherwise, and are both true and correct. Where I rely on information conveyed to me by others, I verily believe same to be true.
3. The purpose of this affidavit is to supplement the submissions contained in our Founding Affidavit, dated 19 July 2018, in support of our application to be admitted as *amicus curiae*. This supplementary affidavit deals specifically with the correspondence of the Fifth Respondent, Cape Town Community Housing Company ("CTCHC") dated 13 July 2018, which we did not receive until Friday, 20 July 2018.



4. This affidavit will deal with two specific issues raised in the correspondence received from the attorneys representing CTCHC, namely:
 - 4.1. The lateness of the request for consent; and
 - 4.2. Whether the matter before Court raises an issue of gender.

Lateness of our request for consent

5. On 12 July 2018 the WLC requested consent to enter the matter currently before the Court, as an *amicus curiae*, in terms of Rule 10 of the Constitutional Court Rules, from the attorneys for the first to twelfth applicants, the first respondent, and the fifth respondents. On 13 July 2018 we requested consent from the attorneys for the second to the fourth respondents. In the interests of avoiding any delays in the matter, WLC requested that written consent be provided by the parties by 13 July 2018.
6. On 13 and 16 July 2018 we received correspondence from the attorneys for the first to twelfth applicants, and the second to fourth respondents respectively, indicating their consent. We did not receive any correspondence from the fifth respondents.
7. On this basis we served and filed our application to be admitted with the Court on 19 and 20 July 2018 respectively, in which we indicated that we did not receive correspondence from the fifth respondents.
8. Subsequently, we were contacted by the attorneys for the applicants who enquired whether we had received the fifth respondent's correspondence on 13 July 2018, attached, marked annexure 'SS1'.
9. Upon our request the attorneys for the applicant forwarded the correspondence to me, marked annexure 'SS2'. This was the first time that I had received the correspondence. My candidate attorney, Harsha Zoë Gihwala, to whom the correspondence was also sent, also did not receive the email correspondence.



As a result, our main application does not address the issues raised by the fifth respondent, nor have we included the correspondence in our application.

- 10. Upon further investigation we were informed by our IT expert that the email was quarantined by our server, and was therefore not released into our inboxes. Attached at 'SS3' is an email from David Vaughan Mallinson informing us of the issue, as well as the Mail Quarantine Reports sent both to me and my candidate attorney, marked 'SS4'.
- 11. However, and notwithstanding the fifth respondent's objections to WLC being admitted as an *amicus curiae*, our application has dealt with the issue of lateness. WLC acknowledges that it remains the prerogative of the Court to decide whether our submissions will add value to the proceedings, and should therefore be admitted.
- 12. We submit that the parties will not suffer any prejudice should WLC be admitted as an *amicus curiae*, as we do not seek to place new evidence before the Court.

Need for gendered lens

- 13. We submit that the submission made by the fifth respondent that the issue before the Court 'does not raise a gender issue' is incorrect. There are twelve applicants in the matter and the decision of the Court will impact on other families currently not before the Court and who are in a similar position as the Applicants.
- 14. Subsidies are only allocated to persons who are married or living with a long-term partner; or who are single or divorced, and with others who rely on their income. It is therefore clear that some of these households will be headed by women.
- 15. The aim of the WLC's intervention as an *amicus* in this matter is to place arguments before the Court that highlight the potential consequences of a

decision taken by the Court for individuals, specifically vulnerable women, who are not before the Court as applicants. We submit that the purpose of our arguments would be to ensure that the Court has before it arguments that advance the experiences of, and the wider societal impact on, those who will be affected by the Court's decision in this matter, in particular women.

16. In addition, this judgment will impact upon thousands of households who are currently, or will in future, enter into instalment sale agreements with the fifth respondents. These agreements will also relate to homes that vulnerable women live in, and are responsible for.
17. We submit that evictions are gendered by nature, and that they have a disproportionate impact on women and children who are left most vulnerable when their homes are taken away from them.
18. Gender neutral laws and policies that disproportionately impact on women need to be addressed. Our laws and policies must take into account, or make provision for, the intersectional forms of discrimination faced by women when they are evicted.
19. We therefore supplement our founding affidavit of 19 July 2018 in terms of the above, and pray that the Honourable Court grant the order in terms of the Notice of Motion.


SEEHAAM SAMAAI

I certify that on this 26th day of July 2018, the Deponent signed this affidavit and swore and acknowledged that she:-

- a) Knew and understood the contents thereof;
- b) Had no objection to taking the oath; and
- c) Considered the oath to be binding on her conscience.


COMMISSIONER OF OATHS

ELGENE LAETITIA ROOS
PRACTISING ATTORNEY
LEGAL RESOURCES CENTRE
54 SHORTMARKET STREET
3RD FLOOR GREEN MARKET PLACE
CAPE TOWN

551 66

PO.BOX 423
CENTURY CITY
7446



A. PARKER & ASSOCIATES

ATTORNEYS, CONVEYANCERS
&
ADMINISTRATORS OF ESTATES

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ROSTRA HOUSE
THE FORUM
NORTHBANK LANE
CENTURY CITY
7441

TEL: (021) 552 9010
FAX: (021) 552 9037
E-MAIL: ayesha@parkerlaw.co.za

MASTER OFFICE BOX NO. 209

DOCEX 18
CENTURY CITY

Our Ref: AS/C00293
Your Ref: S Samaai

13 July 2018

WOMEN'S LEGAL CENTRE
By e-mail: Seehaam@wlce.co.za

Dear Ms Samaai,

RE: RIAN, MOGAMAT AMARDIEN & 11 OTHERS v THE REGISTRAR OF DEEDS & 4 OTHERS:
CASE NUMBER CCT 212/17 - CONSENT TO JOIN AS AMICUS CURIAE

We refer to the above matter and your letter dated 12 July 2018.

Please be advised that our client does not consent to the Women's Legal Centre Trust being admitted as amicus curiae in the matter for the following reasons:

1. We do not believe the issue before the court raises a gender issue, and
2. The time limit for such application to be made, as prescribed by Rule 10 of the Constitutional Court Rules, has lapsed.

However, we will abide to any decision made by the court in this regard.

Our Clients' rights remain reserved.

Yours faithfully,
A PARKER & ASSOCIATES


A SASMAN

Ashraf Abdulrahiman Parker: (B Proc) (UWC)
Assisted By: Ayesha Sasman (LLB) (UWC)
Conveyancing Paralegals: Priscilla Braaf; Arlene Williams; Nicole Wendy Gerbach
Candidate Attorney: Ri-Chandré Jacobs

Office Manager: Faldie Isaacs
Receptionist: Nakita Bridger

Range of services include: *Property Transfers & Conveyancing* Formation of Trusts, Companies and Close Corporations*Estate Planning*Wills and Administration of Deceased Estates*Contracts of Sale & Lease*Litigation*Property Development*



- Cc: **Legal Resource Centre (Attorneys for First to Twelfth Applicants)**
By e-mail: steve@lrc.org.za
- Cc: **Registrar of Deeds (First Respondent)**
By e-mail: lynette.muller@drdlr.gov.za
- Cc: **Office of the State Attorney, Johannesburg (Amicus Curiae)**
By e-mail: AMilford@justice.gov.za



Ashraf Abdulrahiman Parker: (B Proc) (UWC)
 Assisted By: Ayesha Sasman (LLB) (UWC)
 Conveyancing Paralegals: Priscilla Braaf; Ariene Williams; Nicole Wendy Gerbach
 Candidate Attorney: RI-Chandré Jacobs

Office Manager: Faldie Isaacs
 Receptionist: Nakita Bridger

Range of services include: *Property Transfers & Conveyancing* Formation of Trusts, Companies and Close Corporations*Estate Planning*Wills and Administration of Deceased Estates*Contracts of Sale & Lease*Litigation*Property Development*



55268

Seehaam Samaai

From: Steve Kahanovitz <steve@lrc.org.za>
Sent: 19 July 2018 12:09 PM
To: Seehaam Samaai
Cc: Seehaam Samaai
Subject: FW: Riaan Mogamat Amardien & 11 Others v the Registrar of Deeds & 4 Others (Cc Case No.: 212/17)
Attachments: 20180713162214209.pdf

From: Ayesha Sasman [mailto:ayesha@parkerlaw.co.za]
Sent: Friday, 13 July 2018 4:16 PM
To: 'Seehaam Samaai'; harsha@wlce.co.za
Cc: steve@lrc.org.za; lynette.muller@drdlr.gov.za; AMilford@justice.gov.za; 'Zulfa Mohammed'; ravim@wri.co.za
Subject: RE: Riaan Mogamat Amardien & 11 Others v the Registrar of Deeds & 4 Others (Cc Case No.: 212/17)

Dear Ms Samaai,

We refer to the above matter and enclose herewith our letter dated 13 July 2018 for your attention.

Kindly acknowledge receipt hereof.

Regards

Ayesha Sasman (Miss)
Attorney

Suite G06, Rostra House
The Forum
Northbank Lane
Century City



A. PARKER & ASSOCIATES
Attorneys • Conveyancers • Administrators of estates

(PLEASE NOTE THAT OUR OFFICE WILL NEVER CHANGE OR ADAPT OUR TRUST ACCOUNT DETAILS VIA E-MAIL OR ANY OTHER ELECTRONIC FORM. PLEASE CONTACT THE WRITER FOR FORMAL VERIFICATION SHOULD YOU RECEIVE ANY CORRESPONDENCE OF SUCH NATURE).

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Cell : +27(0)
Fax: +27 (0) 21 552 9037
Email: ayesha@parkerlaw.co.za
Web : www.parkerlaw.co.za



BEFORE PRINTING THIS E-MAIL
please consider the environment

From: Zulfa Mohammed [mailto:zulfa@lrc.org.za]
Sent: Friday, 13 July 2018 12:29 PM
To: 'Seehaam Samaai'; harsha@wlce.co.za
Cc: steve@lrc.org.za; lynette.muller@drdlr.gov.za; ayesha@parkerlaw.co.za; AMilford@justice.gov.za
Subject: Riaan Mogamat Amardien & 11 Others v the Registrar of Deeds & 4 Others (Cc Case No.: 212/17)
Importance: High

Good day

Herewith our letter dated 13 July 2018.

Kindly acknowledge receipt.

Yours faithfully

From: Harsha Gihwala [<mailto:harsha@wlce.co.za>]
Sent: Thursday, 12 July 2018 10:29 AM
To: steve@lrc.org.za; lynette.muller@drdlr.gov.za; ayasha@parkerlaw.co.za; AMilford@justice.gov.za
Cc: Seehaam Samaai; Nasreen Solomons; Aretha Louw
Subject: Riaan Mogamat Amardien & 11 Others v the Registrar of Deeds & 4 Others (Cc Case No.: 212/17)

Dear All

The above matter refers. Kindly find attached a letter on behalf of the Women's Legal Centre in terms of Rule 10 of the Constitutional Court Rules.

Kind regards,
Harsha Gihwala
Candidate Attorney



WOMEN'S LEGAL CENTRE

7th Floor Constitution House
124 Adderley Street
Cape Town
8001
Tel: 021 424 5660
Fax: 021 424 5206
Website: www.wlce.co.za

_____ Information from ESET Endpoint Antivirus, version of detection engine 17701 (20180712)

The message was checked by ESET Endpoint Antivirus.

<http://www.eset.com>

553
70

Ruth Davis

From: David Mallinson <support@pcguy.co.za>
Sent: 19 July 2018 01:32 PM
To: Ruth Davis
Subject: Re: Missing email from ayesha@parkerlaw.co.za

Hi Ruth,

I have located it. The address of the senders mail server 154.0.175.244 (firestarter.aserv.co.za) was blacklisted listed as a spam sender so the mail was quarantined by your antispam system.

I have whitelisted the parkerlaw.co.za domain so that future mail from them will come in.

details below:



Thanks.

All the best,
David Mallinson

On Thu, 19 Jul at 1:25 PM , Ruth <ruth@wlce.co.za> wrote:
mail sent by ayesha@parkerlaw.co.za to Sehaam and Harsha Friday at 4:16 pm didn't arrive.

ESET Quarantine Report

ESET Mail Quarantine Report

This is list of your quarantined emails that may contain harmful or unwanted content. To search, delete or use bulk actions, open online viewer.

Recipient: seehaam@wice.co.za
Start Date: 2018-07-18 17:01
End Date: 2018-07-19 17:01


Table with columns: Date Received, Subject. Contains 20 rows of email subject lines such as 'RE: Provide clothing sample customization', 'Live instructor online classroom workshop', etc.

Table with columns: Sender, Category, Action. Contains 20 rows of sender information and delivery status, such as 'ysiibmzdm@gvs.com', 'spam', 'Deliver'.

55471

Handwritten signature or initials.

ESET Quarantine Report

2018-07-01 23:55 Re: The newest design for plush toy
 2018-07-01 17:06  Wallet deactivation
 2018-06-29 07:38 Latest solar lights and LED table lamp

hglycoodu@peha.com
 noreply@lurno.com
 mx01@dfh-logistics.com





spam Deliver
 spam Deliver
 spam Deliver



Mail Quarantine Report

This is list of your quarantined emails that may contain harmful or unwanted content. To search, delete or use bulk actions, open online viewer.

Recipient: harsha@wlce.co.za
Start Date: 2018-07-18 17:01
End Date: 2018-07-19 17:01

Date Received	Subject	Sender	Category	Action
2018-07-19 02:59	Get Affordable, Super-Fast Internet!	no-reply@wireless-lte-a.co.za	spam	Deliver
2018-07-16 05:14	 NEW UPDATES ON OUR TERMS AND POLICY	no-reply@luno.com	spam	Deliver
2018-07-13 16:16	 RE: Riaan Mogamat Amardien & 11 Others v the Registrar of Deeds & 4 Others (Cc Case No.: 212/17)	ayesha@parkerlaw.co.za	spam	Deliver
2018-07-12 10:23	 NEW UPDATES ON OUR TERMS AND POLICY	no-reply@luno.com	spam	Deliver
2018-07-03 22:32	Shipping	tm04@dfh-logistics.com	spam	Deliver
2018-07-03 12:50	Luno Temporary De-Activation	tereza.lisa@uhk.cz	spam	Deliver
2018-07-01 20:42	 Wallet deactivation	info@eveor.ru	spam	Deliver
2018-07-01 01:23	Latest solar lights /MJ LED Light	tm05@dfh-logistics.com	spam	Deliver

Information from ESET Endpoint Antivirus, version of detection engine 17741 (20180719)

The message was checked by ESET Endpoint Antivirus.

<http://www.eset.com>



73

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(HELD AT BRAAMFONTEIN, JOHANNESBURG)

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- CAROL KHOLEKA ZAMA
- PENELOPE JOY PARENZEE
- TEBOHO BASETSANA MOLEBATSI
- NICOLE LOUISE FRITZ

Acting in their capacity as

WOMEN'S LEGAL CENTRE TRUST

Amicus Curiae

to be admitted as *amicus curiae* in the matter between:

- | | |
|-------------------------------|--------------------|
| RIAAN MOGAMAT AMARDIEN | First Applicant |
| TASSANDRA ANNE APRIL | Second Applicant |
| ASHEEQAH DAMON | Third Applicant |
| ROEWAYDA JOCHEMS | Fourth Applicant |
| LOUISE PRIMOE | Fifth Applicant |
| MARGARETH ROMAN | Sixth Applicant |
| CASSIEM SAPAT N.O. | Seventh Applicant |
| CYNTHIA ARENDSE | Eighth Applicant |
| CRAIG CLOETE | Ninth Applicant |
| FAIZA GASANT | Tenth Applicant |
| WARREN KOEN | Eleventh Applicant |
| KASFICAH SMITH | Twelfth Applicant |

and

THE REGISTRAR OF DEEDS

First Respondent

SHAUN WINGERIN N.O.

Second Respondent

GRAEME MICHAEL SCKOLNE N.O.

Third Respondent

NICOLA MARTINE COHEN N.O.

Fourth Respondent

**THE CAPE TOWN COMMUNITY HOUSING
COMPANY (PTY) LTD**

Fifth Respondent

CONFIRMATORY AFFIDAVIT

I, the undersigned,

HARSHA ZOË GIHWALA

do hereby make oath and state that:-

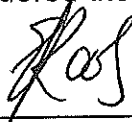
1. I am an adult female employed as a candidate attorney at the Women's Legal Centre, which is situated at 7th Floor, Constitution House, 124 Adderley Street, Cape Town.
2. The facts set out herein are true and correct, and unless the context indicates to the contrary, are within my personal knowledge.
3. I have read the affidavit of Seehaam Samaai and confirm the contents thereof insofar as it relates to me.



HARSHA ZOË GIHWALA

I certify that on this 26th day of July 2018, the Deponent signed this affidavit and swore and acknowledged that she:-

- a) Knew and understood the contents thereof;
- b) Had no objection to taking the oath; and
- c) Considered the oath to be binding on her conscience.



COMMISSIONER OF OATHS

EUGENE LAETITIA LOOS
 PRACTISING ATTORNEY
 LEGAL RESOURCES CENTRE
 54 SHOLTMARKET STREET
 3RD FLOOR GREENMARKET STREET
 CAPE TOWN

IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA
(HELD AT BRAAMFONTEIN, JOHANNESBURG)

CC Case No.: 212/17
SCA Case No.: 423/17
WCHC Case No.: 5283/16

In the application of:

NASREEN RAJAB-BUDLENDER
NOZIZIWE SILINDILE VUNDLA
MICHELLE ANN CRYSTAL HUBER
CAROL KHOLEKA ZAMA
PENELOPE JOY PARENZEE
TEBOHO BASETSANA MOLEBATS
NICOLE LOUISE FRITZ

Acting in their capacity as

WOMEN'S LEGAL CENTRE TRUST

Amicus Curiae

to be admitted as *amicus curiae* in the matter between:

RIAAN MOGAMAT AMARDIEN	First Applicant
TASSANDRA ANNE APRIL	Second Applicant
ASHEEQAH DAMON	Third Applicant
ROEWAYDA JOCHEMS	Fourth Applicant
LOUISE PRIMOE	Fifth Applicant
MARGARETH ROMAN	Sixth Applicant
CASSIEM SAPAT N.O.	Seventh Applicant
CYNTHIA ARENDSE	Eighth Applicant
CRAIG CLOETE	Ninth Applicant
FAIZA GASANT	Tenth Applicant
WARREN KOEN	Eleventh Applicant
KASFICAH SMITH	Twelfth Applicant

and

THE REGISTRAR OF DEEDS

First Respondent

SHAUN WINGERIN N.O.

Second Respondent

GRAEME MICHAEL SCKOLNE N.O.

Third Respondent

NICOLA MARTINE COHEN N.O.

Fourth Respondent

**THE CAPE TOWN COMMUNITY HOUSING
COMPANY (PTY) LTD**

Fifth Respondent

CONFIRMATORY AFFIDAVIT

I, the undersigned,


DAVID VAUGHAN MALLINSON

do hereby make oath and say that:-

1. I am an adult male and a Network Support Specialist employed PC Guy, which is situated at 144 Lower Main Rd, Observatory, Cape Town.
2. PC Guy is employed by the Women's Legal Centre to provide Network and Server Support.
3. The facts set out herein are true and correct, and unless the context indicates to the contrary, are within my personal knowledge.

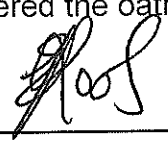


4. I have read the affidavit of Seehaam Samaai and confirm the contents thereof insofar as it relates to me.


DAVID VAUGHAN MALLINSON

I certify that on this 26th day of July 2018, the Deponent signed this affidavit and swore and acknowledged that he:-

- a) Knew and understood the contents thereof;
- b) Had no objection to taking the oath; and
- c) Considered the oath to be binding on his conscience.



COMMISSIONER OF OATHS
ELGENE LAETITIA ROOS
PRACTISING ATTORNEY
LEGAL RESOURCES CENTRE
54 SHOLTMARKET STREET
3RD FLOOR MARKET STREET
CAPE TOWN

"A"

Nasreen Solomons

From: Milanzi Ditumiso <DMilanzi@justice.gov.za>
Sent: 27 July 2018 09:25 AM
To: Aretha Louw; Seehaam Samaai; Nasreen Solomons
Cc: Madikgetla Goitsewang; Milford Aubrey
Subject: RE: Riaan Mogamat Amardien & 7 Others vs The Registrar of Deeds and 4 Others: CC Case No. 212/17

Importance: High

Good Morning Ms Louw

We acknowledge receipt of the below email and its contents herein

Trust that all is in order

Much Obliged, Ms D Milanzi
On behalf of Mr A Milford

From: Aretha Louw [mailto:Aretha@wlce.co.za]
Sent: 26 July 2018 02:17 PM
To: Milanzi Ditumiso; Seehaam Samaai; Nasreen Solomons
Cc: Madikgetla Goitsewang; Milford Aubrey
Subject: RE: Riaan Mogamat Amardien & 7 Others vs The Registrar of Deeds and 4 Others: CC Case No. 212/17

Dear Mr Milford

I refer to our email correspondences dated 19 July 2018 below.

Enclosed please find the Amicus Applicant's (Women's Legal Centre Trust) Supplementary Affidavit for your perusal and records.

As proof of service, we kindly request that you acknowledge receipt hereof at your earliest convenience.

Kind regards



WOMEN'S LEGAL CENTRE

Aretha Louw
7th Floor Constitution House
124 Adderley Street
Cape Town
8001

Tel: 021 424 5660
Fax: 021 424 5206
Website: www.wlce.co.za

facebook

Twitter

From: Milanzi Ditumiso [<mailto:DMilanzi@justice.gov.za>]
Sent: 19 July 2018 09:27 AM
To: Aretha Louw; Seehaam Samaai; Nasreen Solomons
Cc: Madikgetla Goitsewang; Milford Aubrey
Subject: RE: Riaan Mogamat Amardien & 7 Others vs The Registrar of Deeds and 4 Others: CC Case No. 212/17
Importance: High

Good Morning Ms Louw

We refer to the above mentioned matter and as well as the your email below

Kindly be advised that the State Attorney acting on behalf of the Department of Human Settlements agree to accept electronic service in this matter

Trust that all is in order

Regards 

MS D Milanzi
Legal Secretary
On behalf of MR A MILFORD
Snr Assistant State Attorney
State Attorney, JHB
Tel (011) 330 7600



the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

From: Aretha Louw [<mailto:Aretha@wlce.co.za>]
Sent: 19 July 2018 09:15 AM
To: Milford Aubrey; Milanzi Ditumiso
Cc: Seehaam Samaai; Nasreen Solomons
Subject: Riaan Mogamat Amardien & 7 Others vs The Registrar of Deeds and 4 Others: CC Case No. 212/17
Importance: High

Your Ref No: 7037/17/P17

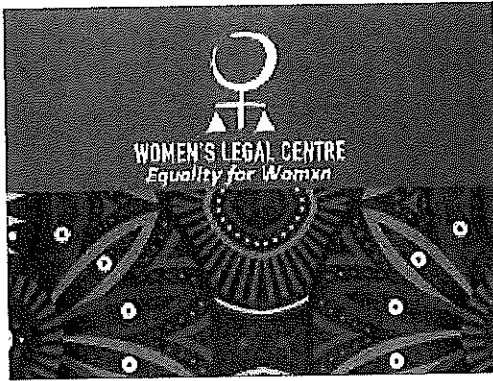
Dear Mr Milford

I'm writing on behalf of the Women's Legal Centre a Law Clinic that is in the process of applying to be admitted as Amicus Curiae in the above matter.

Please advise if the State Attorney acting on behalf of the Department of Human Settlement would accept electronic service in the above matter.

We look forward to hear from you.

Kind regards



Aretha Louw
Litigation Secretary

P: +27 (0)21 424 5660
E: aretha@wlce.co.za
7th Floor, Constitution House
124 Adderley Street
Cape Town
www.wlce.co.za
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