

IN THE HIGH COURT OF SOUTH AFRICA
(EASTERN CAPE DIVISION, MAKHANDA)
HELD AT MAKHANDA, ON TUESDAY THE 20th DAY OF JANUARY 2026
BEFORE THE HONOURABLE MR JUSTICE DE LA HARPE AJ

CASE NO: 1613/2020

In the matter between:

THE AMATHOLE DISTRICT MUNICIPALITY

Applicant

and

THE SOUTH AFRICAN MUNICIPAL WORKERS
UNION

First Respondent

THE INDEPENDENT MUNICIPAL AND ALLIED
TRADE UNION

Second Respondent

THE MEMBER OF THE EXECUTIVE COUNCIL
FOR THE DEPARTMENT OF COOPERATIVE
GOVERNANCE AND TRADITIONAL AFFAIRS

Third Respondent

THE MEMBER OF THE EXECUTIVE COUNCIL
FOR THE PROVINCIAL TREASURY

Fourth Respondent

SOUTH AFRICAN LOCAL GOVERNMENT
ASSOCIATION

Fifth Respondent

MR CHRISTOPHER MAGWANGQANA

Sixth Respondent

MR LULAM TALENI

Seventh Respondent

SOUTH AFRICAN LOCAL GOVERNMENT
BARGAINING COUNCIL

Eighth Respondent

VARIOUS EMPLOYEES OF THE APPLICANT, NOT
REPRESENTED BY THE FIRST OR SECOND
RESPONDENTS, LISTED IN ANNEXURE "NOM1"

Ninth to One
Hundred and Thirty
Fifth Respondents

VARIOUS FORMER EMPLOYEES OF THE APPLICANT
LISTED IN ANNEXURE "NOM2"

One Hundred and
Thirty Sixth to Four Hundred
and Nineteenth Respondents

VARIOUS EMPLOYEES OF THE APPLICANT,
REPRESENTED BY THE FIRST
RESPONDENT, LISTED IN ANNEXURE "NOM3"

Four Hundred and
Twentieth to One
Thousand and Eighty
Eighth Respondents

VARIOUS EMPLOYEES OF THE APPLICANT,
REPRESENTED BY THE SECOND
RESPONDENT, LISTED IN ANNEXURE "NOM4"

One Thousand and
Eighty Ninth to One
Thousand Six Hundred and
Sixteenth Respondents

DRAFT ORDER

Having heard counsel for the applicant and having read the papers filed of record, it is ordered that:

1. The applicant is granted leave to serve papers on the ninth to one hundred and thirty fifth respondents listed in annexure "NOM1" to the notice of motion, and the one hundred and thirty sixth to four hundred and nineteenth respondents listed in annexure "NOM2" to the notice of motion (the affected respondents), by way of substituted service in respect of a combined joinder/rescission/self-review application under case number 1613/2020 (the main application, by publishing a copy of the attached notice, marked "A", in the English language:
 - 1.1. in the Daily Dispatch newspaper;
 - 1.2. in the Sunday Times newspaper; and
 - 1.3. on the municipality's office website.
2. It is declared that the substituted service on the affected respondents as set out above is deemed to be sufficient and proper service of the main application on the affected respondents.

3. Such substituted service must be effected within one month of the date of this order.

BY ORDER OF THE COURT

REGISTRAR

**Netteltons Attorneys
obo Wesley Pretorius & Associates Inc.**

Respondent	Name	Address
9	Tandile Mkize	Amathole District Municipality, Great Kei Satellite Office
10	Gelindawo Walter Nako	Amathole District Municipality, Mbashe Satellite Office
11	Lengile Gosongo	Amathole District Municipality, Mbashe Satellite Office
12	David Andrew Pagel	Amathole District Municipality, Amahlali Satellite Office
13	Xolani Hamilton Nondwangu	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
14	Kennedy Zingangile Xakwa	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
15	Uhati Ramcwana	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
16	Kanyisa Snombo	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
17	Tbandokazi Pinky Alice Matole	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
18	Monica Hugo	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
19	Nombizonke Edith Dlungwana	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
20	Nuthuzelo Ndzimela	Amathole District Municipality Ngqushwa Satellite Office
21	Bonile Fetem	Amathole District Municipality Great Kei Satellite Office
22	Neombekaya Yindia	Amathole District Municipality Great Kei Satellite Office
23	Solomon Siyamele Mkwazi	Amathole District Municipality Mquma Satellite Office
24	Ebit Bakolile Bremesh	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
25	Ziliswa Lorraine Mlranda Nyembazi	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
26	Nombizandile Mziba	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
27	Zandile Yanda	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
28	Nandisi Raymond Dayimani	Amathole District Municipality Mbashe Satellite Office
29	Babalwa Faith Kilana	Amathole District Municipality Great Kei Satellite Office
30	Nasikote Ngonzi	Amathole District Municipality Great Kei Satellite Office
31	Nathere Stoffie	Amathole District Municipality Great Kei Satellite Office
32	Sviwe Mpoza	Amathole District Municipality Mbashe Satellite Office
33	Tabela Sentwa	Amathole District Municipality Amahlali Satellite Office
34	Nonwabisa Sisanda Msiwa	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
35	Tgcini Lesson Mphambane	Amathole District Municipality Nkonkobe Satellite Office
36	Cecilia Nondyobe Ntozini	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
37	Linda Simanga	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
38	Condeka Patronella Zantsi	Amathole District Municipality Great Kei Satellite Office
39	Luyanda Tom	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
40	Pontyatyambo Yandisa Mqopi	Amathole District Municipality Great Kei Satellite Office
41	Famhla Mbululo Mjo	Amathole District Municipality Nxuba Satellite Office
42	Thembisile Vincent Dyonas	Amathole District Municipality Amahlali Satellite Office
43	Miamli Bongco	Amathole District Municipality Ngqushwa Satellite Office
44	Vivwe Mbedhli	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
45	Leonardo Caroline Zweni	Amathole District Municipality Nkonkobe Satellite Office
46	Mkile Mpako	Amathole District Municipality Mbashe Satellite Office
47	Eiyabonga Bobe	Amathole District Municipality Mbashe Satellite Office
48	Mdabazitha Jeba	Amathole District Municipality Nkonkobe Satellite Office
49	Mkutuleko Sodladla	Amathole District Municipality Mbashe Satellite Office
50	Mbuyiseli Ntoko	Amathole District Municipality Mquma Satellite Office
51	Mndiswa Mbaxa	Amathole District Municipality Mquma Satellite Office
52	Mpumalato Maynard Zitumane	Amathole District Municipality Great Kei Satellite Office
53	Mibongile Siswana	Amathole District Municipality Great Kei Satellite Office
54	Mandile Watson Vumiso	Amathole District Municipality Great Kei Satellite Office
55	Montando Gugu Fihla	Amathole District Municipality Nkonkobe Satellite Office
56	Mandisile Gcinikaya Dinga	Amathole District Municipality Mbashe Satellite Office
57	Mandé Philani Madikiza	Amathole District Municipality Great Kei Satellite Office
58	Mkhona Mbulaleko	Amathole District Municipality Mbashe Satellite Office
59	Mphosethu Sijila	Amathole District Municipality Nkonkobe Satellite Office
60	Mwando Kula	Amathole District Municipality Mbashe Satellite Office
61	Moludwe Judy Pazisa	Amathole District Municipality Nkonkobe Satellite Office
62	Mkosincedile Xego	Amathole District Municipality Mbashe Satellite Office
63	Mkosiphendule Ngzoza	Amathole District Municipality Mquma Satellite Office
64	Melizo Landu	Amathole District Municipality Mquma Satellite Office
65	Melile Mpangalala	Amathole District Municipality Great Kei Satellite Office
66	Mongani Konzana	Amathole District Municipality Great Kei Satellite Office
67	Mecilla Makhalala Mosoang	Amathole District Municipality Nkonkobe Satellite Office
68	Miyathemba Mantyi	Amathole District Municipality Mquma Satellite Office
69	Mamanda Soyamba	Amathole District Municipality Amahlali Satellite Office
70	Mumile Victor Ntlama	Amathole District Municipality Nxuba Satellite Office
71	Mhumzile Statsha	Amathole District Municipality Amahlali Satellite Office
72	Mvuyile Kuze	Amathole District Municipality Nkonkobe Satellite Office
73	Mukhanyo Gift Cwala	Amathole District Municipality Mquma Satellite Office
74	Mukhsani Matangeni	Amathole District Municipality Mquma Satellite Office
75	Mongani Mabusela	Amathole District Municipality Mquma Satellite Office
76	Mtsetseti James	Amathole District Municipality Mquma Satellite Office
77	Masechaba Sosizwe Simuku	Amathole District Municipality Mquma Satellite Office
78	Mamampandla Ngcuca	Amathole District Municipality Nxuba Satellite Office
79	Mester Robert Van Rooyen	Amathole District Municipality Great Kei Satellite Office

80	PIllipus Jacobus Van Niekerk	Amathole District Municipality Amahlathi Satellite Office
81	Professor Mabuthi Jaba	Amathole District Municipality Mbashe Satellite Office
82	Vanga Nqeketo	Amathole District Municipality Mquma Satellite Office
83	Tando Poppeta	Amathole District Municipality Mquma Satellite Office
84	Veyani Morris Maseti	Amathole District Municipality Nxuba Satellite Office
85	Siyabulela Koester	Amathole District Municipality Nxuba Satellite Office
86	Sahango Gabela	Amathole District Municipality Mbashe Satellite Office
87	Nomsa Tryphine Matulu	Amathole District Municipality Nxuba Satellite Office
88	Oga Ndulumbana	Amathole District Municipality Great Kei Satellite Office
89	Thandeka Sixolise Msi	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
90	Nqico Matshaya	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
91	Pascalina Mukunza	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
92	Sandile Puti	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
93	Neliswa Simuku	Amathole District Municipality Mquma Satellite Office
94	Mzungisi Wellington Bool	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
95	Nomagcina Petros	Amathole District Municipality Nkonkobe Satellite Office
96	Vayokazi Gamba	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
97	Z-nande Ndima	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
98	Banginkosi Tshurne	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
99	Sesethu Jaduta	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
100	Lengelo Lennox Peter	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
101	Zzipo Asiphe Caroline Machumela	Amathole District Municipality Mbashe Satellite Office
102	Kaayathu Harold Mrali	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
103	Z-nande Kautela	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
104	Yakha Ngemani	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
105	Cingezwa Zethu Gweva	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
106	Zamwonga Wotata	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
107	Siyawandisa Mhweba	Amathole District Municipality Nxuba Satellite Office
108	Zakhata Luthuli	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
109	Lindani Gxoyiya	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
110	Bamanye Ndzima	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
111	Lwando Xolo Mangqishi	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
112	Nonzondelelo Portia Joyi	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
113	Sophwo Davidson Kallityi	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
114	Cauma Qaqamba Mpu	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
115	Lamezo Oben Mabilwana	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
116	Ndumiso Siphamandla Mngomezulu	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
117	Breki Protas Zulu	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
118	Zolite Edward Vumazonke	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
119	Nolwazi Mabindisa	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
120	Linda Victoria Shosha	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
121	Linda Victoria Shosha	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
122	Linda Victoria Shosha	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
123	Lisanda Ntomblizanele Namba	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
124	Tandani Ephraim Mufarnadi	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
125	Hector Thulani Gumbi	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
126	Nziyanda Makhunga	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
127	Chwayita Faith Stoffie	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
128	Ndyabo Mququ	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
129	Nzikazi Tyali	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
130	Nomonde Dyanl	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
131	Nomawethu Ntshabo	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
132	Sonwabile Maqolo	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
133	Mandlakhe Nkqwiliso	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
134	Foselline Siyamthanda Kenny	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201
135	Liyanda Tenge	Amathole District Municipality, 15 Rees Street, Quigney, East London, 5201

Responden-	Last name	Initials	Address			
136	Booi	L	P O BOX 582	Alice		5700
137	Donker	Z	P O BOX 23	Alice		5700
138	Jikela	ML	Mqhayi Street	1415 Fort Beaufort	Fort Beaufort	5720
139	Makubalo	TT	P O BOX 320	Fort Beaufort		5720
140	Nase	M	P O BOX 320	Alice		5720
141	Nxawe	L	P O BOX 320	Alice		5720
142	Solomon	ZF	P O BOX 320	Fort Beaufort		5720
143	Walaza	MG	P O BOX 320	Fort Beaufort		5720
144	Nami	LR	P O BOX 320	Fort Beaufort		5720
145	Zondani	AN	New Houses	4085 Newtown	Newtown	5720
146	Mayekiso	M	Kwamxhelo	Alice	Alice	5700
147	Mali	S	Kwantselamanzi	Alice	Alice	5700
148	Colani	ZC	Ngwabeni Location	Alice	Alice	5700
149	Ngesi	SL	P O BOX 320	Middledrift		5720
150	Matshayina	M	P O BOX 320	Elliotdale		5720
151	Numa	Z	P O BOX 320	Willowvale		5720
152	Baliso	MM	Nxanxashe Administration	Willowvale	Willowvale	5040
153	Gcayi	ZA	P O BOX 320	Dutywa		5720
154	Tafeni	M	Nxanxashe A/A	Willowvale	Willowvale	5040
155	Mahlathi	L	Sihlabeni Store	Ngamakwe	Ngamakwe	4990
156	Lwana	P	1230 Goven Mbeki	Dutywa	Dutywa	5000
157	Hombile	M	P O BOX 320	Mount Ayliff		5720
158	Kolisi	K	Private Bag X3071	Butterworth	Butterworth	4960
159	Fipaza	MV	P O BOX 320	Idutywa		5720
160	Mdoyi	GD	P O BOX 2500	Idutywa		5000
161	Qawe	GM	P O BOX 320	Middledrift		5720
162	Maggazana	MH	P O BOX 320	Lady Frere		5720
163	Magqabi	B	Private Bag X3071	Butterworth	Butterworth	4960
164	Phiwane	N	No 12 Scanlen Street	Butterworth	Butterworth	4960
165	Collocott	AB	21 Beach Road	East London	Nahoon	5241
166	Kanzi	NG	SUNNYSIDE PARK	East London	Haven Hills	5247
167	Grobler	SC	122 Hillcrest Drive	East London	Beacon Bay	5241
168	Makeleni	ML	20 Sandringham Road	East London	Vincent	5247
169	Mlondleni	M	P O BOX 663	Willowvale		5040
170	Ncukana	S	P O BOX 6	Kentani		4980
171	Maqabela	Z	P O BOX 25	Idutywa		5000
172	Snyman	N	4 Dunes Rd	East London	Beacon Bay	5241
173	Mnyanda	V	P O BOX 122	Fort Beaufort		5720
174	Tshandu	T	Tyatyora Location	P O Healdtown	P O Healdtown	5730
175	Tunzi	NE	P O BOX 44	Idutywa		5000
176	Van Der Merwe	L	10 Lynn Rd	East London	Cambridge	5247
177	Jobela	M	P O BOX 2046	Idutywa		5000
178	Nyengula	P	P O BOX 113	Idutywa		5000
179	Mpahlwa	M	P O BOX 320	East London		5200
180	Chrisjan	NT	5 Fletcher Street	Grahamstown	Grahamstown	6139
181	Ntlakati	T	P O BOX 530	Peddle		5640
182	Siqobo	B	P O BOX 54	Elliotdale		5070
183	Katikati	N	P O BOX 320	East London		5200
184	Memani	JV	2931 Ginsberg West	King Williams Town	King Williams Town	5600
185	Hodi	CL	5170 Isidenge	Stutterheim	Stutterheim	5209
186	Ned	SM	20 Frere Road	East London	Vincent	5217
187	Mkololo	T	4778 Pola Park	King Williams Town	Dimbaza	5618
188	Dyonase	K	P O BOX 21	Komga		4950
189	Schmidt	CR	25 Murray Ave	East London	Cambridge	5247
190	Nontshinga	MA	P O BOX 611	Fort Beaufort		5720
191	Sofute	NT	16 Sandile Street	East London	Duncan Village	5201
192	Ndayi	S	5149 Nu2	East London	Mdantsane	5219
193	Ndava	N	2076 Nu 6	East London	Mdantsane	5219
194	Gqweta	BM	42 Thungula Street	Mthatha	Umtata	5100
195	Lawrence	ZR	21 Protea Drive	King Williams Town	Breidbach	5600

196	Magwentshu	N	6 Harrow Beacon Bay	East London	Beacon Bay	5257
197	Dyanty	N	D 224	East London	Duncan Village	5200
198	Noholoza	AA	P O BOX 129	Indwe		5445
199	Ncedani	NP	1333 Nu 16	East London	Mdantsane	5219
200	Xundu	MT	1519 Nu 13	East London	Mdantsane	5219
201	Ngabase	PP	34 Sage Street Madervale	East London	Amalinda	5247
202	Gxalo	Y	1338 N U 13	Mdantsane	Mdantsane	5219
203	Tempi	NP	P O BOX 63	Berlin		5660
204	Mdali	SM	271 Phliso Street	Ngangelizwe	Ngangelizwe	5099
205	Kuza	T	1138 Nu 16	East London	Mdantsane	5219
206	Mtungwana	DM	P O BOX 36	Butterworth		4960
207	Maggabi	S	P O BOX 90	Kentane		4980
208	Dweba	N	21 Merrifield Close	East London	Amalinda	5247
209	Gqirana	VD	P O BOX 102	Idutywa		5000
210	Dow	N	2432 Nazo Street	Fort Beaufort	Fort Beaufort	5720
211	Mandla	N	32 Sankara Street	East London	Cambridge	5247
212	Lewis	CJ	23 Peffer Street	East London	Buffalo Flats	5201
213	Ngxeba	M	8 High Street	Peddle Town	P O Box 174	5640
214	Moseleba	N	35 Veldman Street	Butterworth	Coloured Township	4960
215	Yeko	PD	P O BOX 4102	King Williams Town		5600
216	Nkomana	A	10 Hampshire Street	Port Elizabeth	Sherwood	6025
217	Bovu	AG	1263 Mqayi Drive	Alice	Happy Rest	5700
218	Ndwandwa	V	71 Piet Relief Street	East London	East London	5247
219	Payiya	LL	D1160 Nu 9	East London	Mdantsane	5219
220	Mcilongo	ZS	1250 Nu17	East London	Mdantsane	5219
221	Mketeni	S	Kalana Location	King William's Town	P O Box 1069	5600
222	Ngwentle	A	Nqileni Location	Butterworth	P O Box 269	4960
223	Ngcobo	NP	83 Inverleith Terrace	Amanzimtoti	Kwamakhutha Town	4126
224	Mtintsilana	PP	31 Sohco Flats	East London	Amalinda	5247
225	Magwa	AW	6 Fairview Location	Adelaide	Adelaide	5760
226	Sikoti	N	219 Nu 14	East London	Mdantsane	5219
227	Zondi	SP	25 Acacia Drive	East London	Beacon Bay	5241
228	Mbono	M	36 Nu 18	East London	Mdantsane	5219
229	Sondara	A	13 Serabie Court	East London	Quigney	5201
230	Mafumbu	L	32 Maghubela Street	Mthatha	Mbuqe Extension	5099
231	Jakavula	LJ	King Williams Town	King Williams Town		5600
232	Isaacs	GA	7 Pastorie Street	Somerset East	Somerset East	5850
233	Canzibe	N	P O BOX 25	Dutywa		5000
234	Yabo	BH	37365 Phase 1	East London	Scenery Park	5201
235	Yabo	TV	998 C Section	East London	Duncan Village	5209
236	Gweje	D	56 Dizamahlebo Street	East London	Duncan Village	5209
237	Mohlaka	P	302 Msobomvu Flats	Butterworth	Butterworth	4960
238	Sani	S	57 Babb Street	East London	Amalinda	5247
239	Mdyogolo	S	4 Yvonne Road	East London	Amalinda	5247
240	Bangani	K	Middledrift	Middledrift	Mfiki Location	5685
241	Damoyi	YO	D1907 Thembalethu	Komga	Komga	4950
242	Maartens	JM	21 Club Crescent	East London	Gullsway Gonubie	5201
243	Allers	K	16 Double Delight Crescent	East London	Gonubie	5257
244	Mkaka	S	30 Berendts Street	East London	Amalinda	5247
245	Singh	V	5 Torch Lily Road	East London	Braelyn Heights	5209
246	Mkebe	SF	51A Hintsia Crescent	Bisho	Bisho	5605
247	Phili	P	Amatola Res Lovedale	King Williams Town	P O Box 2156	5600
248	Mnyaka	M	6 Elizabeth Road	East London	Cambridge	5247
249	Lebetloane	T	39 Longreach Road	East London	Dorchester Heights	5209
250	Taleni	MT	Majali Location	Kei Road	Kei Road P O Box	4920
251	Vuso	N	256 Post Suit	Mthatha	Private Bag X 531	5099
252	Xaba	MK	PO BOX 12117	King Williams Town	Centrahill	6006
253	Cekiso	SC	5816 Nu 5	East London	Mdantsane	5219
254	Nela	SNN	21 Sable Place	East London	Beacon Bay	5241
255	Lamani	K	3664 Mkuli Street	Port Elizabeth	Kwazakhele	6205
256	Mncono	KE	5 Lorie Lane	King Williams Town	Westbank	5605
257	Banayi	B	2945 Amathola Villy	Stutterheim	Stutterheim	4930
258	Mhlaba	NM	Clifford Street	East London	Quigney	5201

259	Manyadu	KM	53 Conway Roag	East London	Sunny Ridge	5201
260	Noyi	M	Station Street	Komga	Komga	4950
261	Nketho	AS	Govan Mbeki Township	Dutywa	Dutywa	5000
262	Matrosa	MG	P O BOX 13	Maluti		4740
263	Mkubelo	LO	218 Nu 5b	Mdantsane	Mdantsane	5219
264	Basopu	PM	148 12th Avenue	East London	Gonubie	5201
265	Sovasi	NL	3 Helen Road	East London	Amalinda	5214
266	Tomose	V	14 Plymouth Drive	East London	Nahoon	5241
267	Dyantyl	N	1 Shamrock Lane	East London	Beacon Bay	5241
268	Batyl	S	5549 Vuli Valley	Butterworth	Butterworth	4960
269	Gada	S	P O BOX 1969	Dutywa		5000
270	Bikitha	P	7 Riemer Street	Berlin	Berlin	5600
271	Kweleta	S	P O BOX 277	Stutterheim		4930
272	Nondumo	S	14 Gonubie Palms	East London	Gonubie	5200
273	Gatyei	N	36 Sunningdale Place	East London	Sunnyridge	5201
274	Bungu	B	103 Moya A	Beacon Bay	Tripple Point	5241
275	Bhana	S	3 Beresford Road	East London	Stirling	5241
276	Kotobe	M	8 Hammer Close	King Williams Town	King Williams Town	5600
277	Manona	S	5294 Nu 2	East London	Mdantsane	5219
278	Booi	F	1024 Nu 1	East London	Mdantsane	5219
279	Tshatshu	LC	7 Alfred Street	Stutterheim	Stutterheim	4930
280	Nabela	DS	P O BOX 113	Nggamakwe		4990
281	Magalekane	SY	1281 Mchubakazi	Butterworth	Butterworth	4960
282	Makeleni	P	LUSIZINI	Komga	Nyara Village	5288
283	Malo	P	887 Dimbaza	Kwa Dimbaza	Kwa Dimbaza	5671
284	Nggakaza	S	1721 N U 13	Mdantsane	Mdantsane	5219
285	Constance	M	35 Bruce Street	East London	Buffalo Flats	5209
286	Ntanta	XW	19 Hilli View Road	Quigney	Quigney	5201
287	Mcilongo	SH	2657 Siviwe Location	Komga	Komga	4950
288	Mgedezi	N	P O BOX 73265	Fort Malan		5000
289	Ngalo	M	89 Ibika Township	Butterworth	Butterworth	4960
290	Lubisi	N	4490 Newton	Fort Beaufort	Fort Beaufort	5720
291	Mangali	ML	1 Leeubekie Street	Fort Beaufort	Fort Beaufort	5720
292	Matyana	S	338 Matikince Street	Fort Beaufort	Fort Beaufort	5720
293	Magadu	SS	920 Joe Slovo	Seymour	Seymour	5750
294	Poto	Z	34 Arum Sands	Gonubie	Gonubie	5257
295	Mgxali	MV	2270 Cuba Township	Butterworth	Butterworth	4960
296	Mella	SS	22 Usundu Street	Sun Set Bay	Sun Set Bay	5201
297	Ndinisa	PB	73255 Fort Malan Administ	Willowvale	Willowvale	5013
298	Lefophana	MS	1924 Clayville	Extension 26	Extension 26	1666
299	Dyibishe	Z	P O BOX 485	Peddle		5640
300	Madikizela	ZA	25 Nappgen Road	Mthatha	Mthatha	5099
301	Gadu	TT	P O BOX 132	Peddle		5640
302	Mlondolozu	JS	7747 Zizamele Township	Butterworth	Butterworth	4960
303	Maleki	B	1748 Mcubakazi Township	Butterworth	Butterworth	4960
304	Mbadamana	RZ	P O BOX 214	Willowvale		5040
305	Maholo	P	99 Ibika Township	Butterworth	Butterworth	4960
306	Mgobo	T	9 Mngqibisa Street	Duncan Village	Duncan Village	5201
307	Mcunukelwa	S	5548 Vuli Valley	Butterworth	Butterworth	4960
308	Peni	D	P O BOX 462	Nggamakwe		4990
309	Skomndela	M	Upper Bolotwa	Dutywa	Dutywa	5000
310	Palezweni	L	P O BOX 159	Lungelethu		5685
311	Gqetywa	M	333 Lurwayizo Store	Willowvale	Willowvale	5040
312	Siga	KD	P O BOX 2250	Dutywa		5000
313	Papu	TE	2112 Mlonyeni Street	Fort Beaufort	Fort Beaufort	5720
314	Noqhekwa	ZK	P O BOX 26	Alice		5700
315	Tswina	F	P O BOX 562	Dutywa		5000
316	Manyashe	M	345 Jantjies Street	Adelaide	Adelaide	5960
317	May	AA	1753 Nu 17	Mdantsane	Mdantsane	5720
318	Madolo	N	0 Kalalo Aa	Elliotdale	Elliotdale	5247
319	Gqodo	S	18 Caroline Street	Amalinda	Amalinda	5247
320	Xego	S	P O BOX 116	Alice		5700
321	Zekani	S	P O BOX 2245	Dutywa		5000

322	Jack	MZ	P O BOX 74	Engcobo		5050
323	Nukani	B	1600 Msobomvu Township	Butterworth	Butterworth	4960
324	Maxiniva	GM	7110 Zizamele Township	Butterworth	Butterworth	4960
325	Peter	TN	1035 Nu 16	Mdantsane	Mdantsane	5219
326	Gwadiso	S	Chalmer Street	Komga	Komga	4950
327	Makwayiba	M	Macibe Location	Centani	Centani	4990
328	Mthetwa	S	P O BOX 2387	Acornhoek		5200
329	Bhukwana	TM	P O BOX 159	Kolomane Village		4990
330	Mohale	E	818 Mangcu Street	Mlungisi Township	Mlungisi Township	5320
331	Ndleleni	VE	1462 Nu 16	Mdantsane	Mdantsane	5219
332	Ntshudu	T	1886 Mlungisi Location	Mlungisi Location	Mlungisi Location	4930
333	Maqungo	W	P O 28 NQAMAKWE	Nqamakwe		4990
334	James	N	7799 Zizamele Township	Butterworth	Butterworth	4960
335	Mbanga	M	Thembeni Location	Lower Weza	Lower Weza	5040
336	Xhwenene	CM	3310 Power Location	Peddle	Peddle	4950
337	Nono	S	13 Khobongaba Location	Centane	Centane	4980
338	Damoyl	N	1 Nontshinga Aa	Centani	Centani	4980
339	Maxili	S	29 Willowvale	Willowvale	Willowvale	4980
340	Mafanga	AM	P O BOX 92	Centane		4980
341	Qangule	L	P O BOX 1801	Idutywa		5000
342	Nitoko	VB	Water works	Butterworth	Butterworth	4960
343	Giyose	T	38 Blank Street	Butterworth	Butterworth	4962
344	Mvalo	N	P O BOX 1	Butterworth		4960
345	Mpongwana	A	112 Mdlankomo Administra	Libode	Libode	5160
346	Ncapayi	Z	67 Ntsimbakazi Store	P O Box 67	P O Box 67	5040
347	Banks	MA	68 Chamberlain Rd	East London	Vincent	5247
348	Hand	GR	25 Middlesex Road	East London	Amalinda	5247
349	Hansen	NS	26 Morningside Road	East London	Morningside	5201
350	Luphindo	BH	43 French Street	East London	Cambridge	5247
351	Kambi	L	7 Kathryn Rd	East London	Amalinda	5247
352	Twala	TT	1203 Mlungisi Location	Stutterheim	Stutterheim	4930
353	Ginya	XM	727 Mzomhle Location	Komga	Komga	4950
354	Troskie	LR	3 Broekma Place	Aspiranzaville	Aspiranzaville	5201
355	Daliburuma	D	F1332 Nu 10	Mdantsane	Mdantsane	5200
356	Dyosini	T	P O BOX 36	Stutterheim		4988
357	Gongxoza	S	Tshoxa Location	Keiskamahoeok	Keiskamahoeok	4990
358	Mfini	KS	2 Hereford Road	Amalinda	Amalinda	5200
359	Ncamani	N	55 Kei Road Location	Kei Road	Kei Road	4920
360	Njili	P	Teko Kona	Centane	Centane	4960
361	Mbangeleli	B	Zazulwana A/A	Butterworth	Butterworth	4960
362	Mhlontlo	L	24 Flat	Butterworth	Butterworth	4960
363	Mapisa	WS	442 Msobomvu Township	Butterworth	Butterworth	4960
364	Mabusela	M	1620 Mcubakazi Township	Butterworth	Butterworth	4960
365	Xaia	M	693 Msobomvu Township	Butterworth	Butterworth	4960
366	Mpanga	T	Tandabantu Store	Butterworth	Butterworth	4960
367	Hallom	ZM	226 Flats	Butterworth	Butterworth	4960
368	Bangiso	JM	P O BOX 36	Butterworth		4960
369	Pamla	D	1566 Msobomvu Township	Butterworth	Butterworth	4960
370	Mpahlwa	MM	Ngabara A/A	Willowvale	Willowvale	4960
371	Pongwana	T	Msobomvu Township Hous	Butterworth	Butterworth	4960
372	Finca	ML	Bongoza A/A	Butterworth	Butterworth	4960
373	Ngedle	LD	P O BOX 448	Tsolo		5170
374	Mpangisana	M	Gobe Administration Area	Centane	Centane	4080
375	Makade	N	P O BOX 307	Butterworth		4960
376	Potwana	MS	3220 German Village	Peddle	Peddle	5640
377	Cinywa	H	Peddle Extension	Peddle	Peddle	5640
378	Nkurumanda	XB	204 Mzomhle Extension	Komga	Komga	4950
379	Sorhele	F	2619 Siviwe Location	Komga	Komga	4950
380	Mbedu	BS	1086 Church Street	Komga	Komga	4950
381	Lawrence	WA	1 Horizon Street	Kei Mouth	Kei Mouth	5260
382	Bhengeza	K	3092 Sisiwe Street	Komga	Komga	4950
383	Hilbana	NW	Morgans Bay Top Shop	Morgans Bay	Morgans Bay	5292
384	Meier	AW	22 Stockenström Street	Adelaide	Adelaide	5780

385	Adams	A	P O BOX 320	East London		5200
386	Roberts	B	16 Willem Daniel Street	Adelaide	Adelaide	5760
387	Fredricks	G	17 Wessel Robert	Bezuidenhout	Bezuidenhout	5760
388	Nkayi	L	45 Pollar Park	Balfour	Balfour	5740
389	De Lange	RD	1 Hibus Street	Adelaide	Adelaide	5760
390	Peter	M	23 Jerseyvale Location	Stutterheim	Stutterheim	4930
391	Biyo	Z	30303 Village 3 Ncera	East London	Kidds Beach	5264
392	Bushula	L	1 Alice	Alice	Alice	5700
393	Losina	V	Mgcwe Location	Nggamakhwe	Nggamakhwe	4990
394	Mnyimba	TT	16 Oleander Avenue	Uitenhage	Strelltzia Park	5200
395	Beja	I	7536 Zizamele Township	Butterworth	Butterworth	4960
396	Magolo	NZ	6 Hintsa Crescent	Butterworth	Coloured Location	4961
397	Ntsodo	VSL	491 Phakamisa Township	King Williams Town	King Williams Town	5600
398	Diutwileng	GE	31 Pentlands Place	East London	Beacon Bay	5241
399	Hlehliso	V	31 Drake Road	East London	Stirling	5241
400	Mosala	ML	6 Bellows Falls	East London	Dorchester Height	5200
401	Sityana	N	2118 Cuba Township	Butterworth	Butterworth	4960
402	Mafanya	AVA	00 Bongweni Location	Nggamakhwe	Dudumashe AA	4990
403	Tshawuza	L	P O BOX 54	Elliotdale		5070
404	Mahlangeni	N	2090 Cuba Township	Butterworth	Butterworth	4960
405	Rubushe	N	Dudumashe A/A	Butterworth	Nqamakwe	4990
406	Gomba	Z	Mkrwaqa A/A	Butterworth	Butterworth	4960
407	Sijadu	SB	14 Emerald Sky	East London	Amalinda	5200
408	Maputi	D	L16 Riverside Lifestyle Estate	East London	Nahoon Valley	5201
409	Nkani	K	8660 Sweetwaters	King Williams Town	King Williams Town	5640
410	Manyati	VM	18 Betta Mali	East London	St Peters Road	5201
411	Mfazwe	Z	1775 N.U 16	East London	Mdantsane	5219
412	Ireland	A	Mbalane Area	Kwazulu Natal	Mbalane Area	3251
413	Mzulwini	TB	47 Canary Crescent	King Williams Town	King Williams Town	5600
414	Soboyisi	SS	ERF 612	Qumbu	New Homes	5180
415	Somana	M	38 Grace Crescent	East London	Beacon Bay	5200
416	Bonga	B	Nosakhele Store	Butterworth	Mqanduli	4760
417	Khwintini	T	6420 N U	East London	Mdantsane	5219
418	Chutu	SA	505 N U 17	East London	Mdantsane	5219
419	Nzimande	MW	1 Mpembeni Reserve	Durban	Box 2629 Esikhawini	3687

**IN THE HIGH COURT OF SOUTH AFRICA
(EASTERN CAPE DIVISION, MAKHANDA)**

CASE NO: 1613/2020

In the matter between:

**THE AMATHOLE DISTRICT
MUNICIPALITY (THE MUNICIPALITY)**

Applicant

and

**THE SOUTH AFRICAN MUNICIPAL
WORKERS UNION**

First Respondent

and

OTHERS

Second to One Thousand Six Hundred
and Sixteenth Respondents (and which
include the current and various former
employees of ADM)

NOTICE TO ALL CURRENT AND FORMER ADM EMPLOYEES

1. The municipality has issued papers in the High Court under the above case number against various respondents, including SAMWU, IMATU, their respective members, and employees and former employees of the municipality who were or are not members of the said trade unions.

2. ADM seeks in its notice of motion orders in substantially the following terms:

2.1 As Part A relief:

2.1.1 That, *inter alia*, the various individual employees and former employees of the municipality are joined as respondents in the application under case number 1613/2020;

2.1.2 That the following order issued by the Honourable Mr. Acting Justice Matebese in the above matter, under case number 1613/2020, is declared a nullity, alternatively rescinded:

"2.1.2.1 The Applicant's failure to file the application for review within a reasonable time be and is hereby condoned.

2.1.2.2 The decision of the Fifth Respondent on or about 25 March 2013 to re-categorise the Applicant from a Category 6 to a category 7 municipality be and is hereby unlawful and is hereby reviewed and set aside.

2.1.2.3 The decision of the Fifth Respondent on or about 19 February 2014 to standardize the Applicant's salaries is declared unlawful and is hereby reviewed and set aside.

2.1.2.4 All consequences flowing from the order setting aside the decision of 25 March 2013 to re-catergorise the Applicant and particularly regarding remuneration and benefits be remitted to the Local Labour Forum of the Applicant for consultation, negotiation and decision purposes.

2.1.2.5 All consequences flowing from the order setting aside the decision of 19 February 2014 to standardize the Applicant's salaries and particularly regarding remuneration and benefits be remitted to the Local Labour Forum of the Applicant for consultation, negotiation and decision purposes.

2.1.2.6 The Applicant is to pay the Third Respondent's costs of opposition, including the costs of two counsel."

2.2 As Part B relief that ADM be granted leave to amend its notice of motion and supplement its founding affidavit in the initial review application and for condonation, to the extent necessary; and for the following further relief:

2.2.1 The decision of the sixth respondent (the former municipal manager of the municipality, Mr Chris Magwangqana), on behalf of the municipality, on or about 17 January 2013 to re-categorise

the municipality from a category 6 to a category 7 municipality is declared invalid in terms of section 172(1)(a) of the Constitution of the Republic of South Africa, 1996, and is set aside, in terms of section 172(1)(b) with retrospective effect from 4 August 2020.

2.2.2 The decision of the sixth respondent, on behalf of the municipality, on or about 19 February 2014 to standardise the applicant's salaries is declared invalid in terms of section 172(1)(a) of the Constitution and set aside, in terms of section 172(1)(b), with retrospective effect from 4 August 2020.

2.3 That the respondents who unsuccessfully oppose the application are ordered to pay the costs of the application, jointly and severally, the one paying the others to be absolved.

3. The trade unions (SAMWU and IMATU) and those of the municipality's employees who are their members, have opposed the application and have filed papers in support of such opposition.

4. All current and former employees of the municipality (the affected employees) have the following rights:

4.1 to oppose the application utilising attorneys of their own choice;

- 4.2 to obtain a copy, without charge, of the main application from the municipality's attorneys of record should they require a copy; and

- 4.3 to oppose the application, if they wish to, by notifying the municipality's attorneys in writing of their intention to do so and within 15 days after having so given notice of intention to oppose the application, to file their answering affidavits, if any; and further to appoint in such notification an address referred to in Rule 6(5)(b) of the Uniform Rules of Court at which they will accept notice and service of all documents in the proceedings.

- 4.4 In addition, if no notice of intention to oppose is given within the time period stated above, the municipality will proceed to set the matter down on the opposed motion court roll and seek orders in the terms set out above without further notice or reference to the affected employees.