

30. Aug. 2007 13:43

No. 4027 P. 1/3



**CONSTITUTIONAL COURT OF SOUTH AFRICA**

**CASE NO: CCT 24/07**

In the matter between

**OCCUPIERS OF 51 OLIVIA ROAD,  
BEREA TOWNSHIP,  
AND 197 MAIN STREET,  
JOHANNESBURG**

Applicants

and

**CITY OF JOHANNESBURG**

First Respondent

**RAND PROPERTIES (PTY) LTD**

Second Respondent

**MINISTER OF TRADE AND  
INDUSTRY**

Third Respondent

**PRESIDENT OF THE  
REPUBLIC OF SOUTH AFRICA**

Fourth Respondent

**CENTRE ON HOUSING RIGHTS AND EVICTIONS**

Amicus Curiae

**COMMUNITY LAW CENTRE,  
UNIVERSITY OF WESTERN CAPE**

Amicus Curiae

---

**INTERIM ORDER DATED 30 AUGUST 2007**

---

**CORAM: Langa CJ, Moseneke DCJ, Madala J, Mpati AJ, Ngcobo J, Nkabinde J, Sachs J,  
Skweyiya J, Van der Westhuizen J and Yacoob J**

Having heard argument in this application the Court issues the following interim order pending the delivery of judgment:

1. The City of Johannesburg and the applicants are required to engage with each other meaningfully and as soon as it is possible for them to do so, in an effort to resolve the differences and difficulties aired in this application in the light of the values of the Constitution,

30. Aug. 2007 13:44

No. 4027 P. 2/3

the constitutional and statutory duties of the municipality and the rights and duties of the citizens concerned.

2. The City of Johannesburg and the applicants must also engage with each other in an effort to alleviate the plight of the applicants who live in the two buildings concerned in this application by making the buildings as safe and as conducive to health as is reasonably practicable.
3. The City of Johannesburg and the applicants must file affidavits before this Court on or before 3 October 2007 reporting on the results of the engagement between the parties as at 27 September 2007.
4. Account will be taken of the contents of the affidavits in the preparation of the judgment in this matter for the issuing of further directions, should this become necessary.

*MS Stander*

**MS STANDER**  
**SNR REGISTRAR: CONSTITUTIONAL COURT**

**TO: WITS LAW CLINIC**  
Attorneys to Occupiers  
Of 51 Olivia Road  
Berea Township  
University of the Witwatersrand  
Braamfontein  
**JOHANNESBURG**  
Tel: (011) 717-8562  
Fax: (011) 717-8519  
Ref: T Mmako

**TO: WEBBER WENTZEL BOWENS**  
Attorneys to Occupiers of 197 Main Street  
**JOHANNESBURG**  
10 Fricker Road  
Illovo Boulevard  
Illovo 2196  
Tel: (011) 530 5539  
Fax: (011) 530 6539  
Ref: Mr. M Hathorn

**TO: MOODIE & ROBERTSON**  
First Respondent's Attorneys  
9<sup>th</sup> Floor, 209 Smit Street  
Braamfontein  
**JOHANNESBURG**  
Tel: (011) 403-5171  
Fax: 0866 604 475  
Ref: Mr C Povall/mvs/C120893

30. Aug. 2007 13:44

No. 4027 P. 3/3

**TO: RAND PROPERTIES (PTY) LTD**  
26 - 5<sup>th</sup> Street  
Houghton  
JOHANNESBURG

**TO: THE STATE ATTORNEY**  
Attorneys for the Minister of Trade and Industry  
and the President of the Republic of South Africa  
10<sup>th</sup> Floor, North State Building  
95 Market Street, cnr Kruis Street  
JOHANNESBURG  
Tel: 011 330 7600/7660  
Fax: 011 337 6200

**AND TO: LEGAL RESOURCES CENTRE**  
Attorneys for the Amici Curiae  
9<sup>th</sup> Floor, Bram Fischer House  
25 Rissik Street  
JOHANNESBURG  
Tel: (011) 836 9831  
Fax: (011) 836 8680  
Ref: A Mayet / J012