

COURT ONLINE COVER PAGE

**IN THE HIGH COURT OF SOUTH AFRICA
Gauteng Local Division, Johannesburg**

CASE NO: 2024-063688

In the matter between:

**Media Monitoring Africa Trust,SOS
Support Public Broadcasting
Coalition,Campaign For Free
Expression,Mondli Makhanya**

Plaintiff / Applicant / Appellant

and

**Takalani Madima ,South African
Broadcasting Corporation SOC Ltd,Ian
Plaatjes ,Merlin Naicker**

Defendant / Respondent

Notice of Motion (Long Form)

NOTE: This document was filed electronically by the Registrar on 10/6/2024 at 2:42:40 PM South African Standard Time (SAST). The time and date the document was filed by the party is presented on the header of each page of this document.



ELECTR

SIGNED BY:

**Registrar of High Court , Gauteng
Local Division,Johannesburg**

**IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG LOCAL DIVISION, JOHANNESBURG)**

CASE NO

In the matter between:

MEDIA MONITORING AFRICA TRUST 1ST APPLICANT

SOS SUPPORT PUBLIC BROADCASTING COALITION 2ND APPLICANT

CAMPAIGN FOR FREE EXPRESSION 3RD APPLICANT

MONDLI MAKHANYA 4TH APPLICANT

and



TAKALANI MADIMA SC N.O. 1ST RESPONDENT

SOUTH AFRICAN BROADCASTING CORPORATION SOC LTD 2ND RESPONDENT

IAN PLAATJES 3RD RESPONDENT

MERLIN NAICKER 4TH RESPONDENT

NOTICE OF MOTION

TAKE NOTICE that the applicants will apply to this Court, on a date to be determined by the Registrar, for an order in the following terms:

1. The decision of the first respondent dated 29 April 2024, in which he dismissed the application by the third and fourth respondents to allow media access to their disciplinary hearing, is declared unconstitutional, unlawful and invalid, and is set aside.

2. The second respondent is directed, within five days, to furnish the applicants with access to all documents exchanged and all recordings made in the course of the disciplinary hearing of the third and fourth respondents.
3. The costs of this application, including the costs of two counsel, shall be paid by any party or parties opposing it, on party-and-party scale C.
4. Further and/or alternative relief.

TAKE NOTICE FURTHER that the accompanying affidavit of **WILLIAM BIRD** will be used in support of this application.



TAKE NOTICE FURTHER that the applicants have appointed **WEBBER WENTZEL** as their attorneys of record in this application, at whose addresses (including the email addresses), set out below, they will accept service of all process and documents in these proceedings.

TAKE NOTICE FURTHER that the first respondent is called upon, under rule 53(1)(b), within 15 days of receipt of this application, to deliver to the Registrar the record of the decision which is sought to be set aside, together with such reasons as he is by law required or desires to give or make, and to notify the applicants' attorney that he has done so.

TAKE NOTICE FURTHER that, within 10 days of receipt of the above record from the Registrar, the applicants may amend, add to, or vary the terms of their notice of motion and supplement their founding affidavit.

TAKE NOTICE FURTHER that if you intend opposing this application, you must:

- (a) notify the applicants' attorney in writing within 15 days of receipt of the applicants' supplementary founding affidavit;
- (b) in such notice appoint an address within 25 km of the office of the Registrar, as well as an electronic mail address, at which you will accept notice and service of all documents in these proceedings;
- (c) within 30 days of the expiry of the time referred to in Rule 53(4) (i.e. 30 days after the supplementary founding affidavit has been filed or was permitted to be filed), deliver your answering affidavits, if any.



SIGNED at SANDTON on this the 10th day of June 2024

Kenan Petersen

WEBBER WENTZEL
Attorneys for the applicants
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Johannesburg
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Ref: 4008066

TO:
**THE REGISTRAR
JOHANNESBURG**

AND TO:

TAKALANI MADIMA SC N.O.

First respondent

House of Lords Chambers

Sandton

2916

Tel: +27 82 563 3664

Email: barrister@law.co.za

BY EMAIL

AND TO:

WERKSMANS ATTORNEYS

Second respondent's attorneys

96 Rivonia Road

Sandton

2196

Tel:

Email: sjuly@werksmans.com ; rpula@werksmans.com ;
stom@werksmans.com

Ref: Mr S July/Isza/SOUT5167.146
10144405V1



BY EMAIL

AND TO:

IAN PLAATJES

Third respondent

Email: ianplaatjes@gmail.com

BY EMAIL

AND TO:

MERLIN NAICKER

Fourth Respondent

Email: merlin@mediawizardconsulting.com

BY EMAIL