



**IN THE SPECIAL TRIBUNAL ESTABLISHED IN TERMS OF SECTION 2(1)
OF
THE SPECIAL INVESTIGATING UNIT AND
SPECIAL TRIBUNALS ACT 74 OF 1996
(REPUBLIC OF SOUTH AFRICA)**

Case No: KN02/2025

BEFORE THE HONOURABLE JUSTICE VICTOR ON 19 DECEMBER 2025

In the ex-parte application

In the matter between:

SPECIAL INVESTIGATION UNIT

Applicant

and

ZIQOQE CONSTRUCTION CC

First Respondent

NDABEZINHLE LUTHULI

Second Respondent

REGISTRAR OF DEEDS

Third Respondent

ORDER

HAVING HEARD Counsel on behalf of the Applicant and having read the documents filed of record, the following order is made:


1. That the application is enrolled in terms of Rule 10(7) of the Rules for the Conduct of the Proceedings of the Special Tribunal (“**Special Tribunal Rules**”) and that this *ex parte* application proceeds as an urgent interdict in terms of Rule 12(2) of the Special Tribunal (“**Special Tribunals Rules**”) and non-compliance with the normal rules, form and times and manner of service be condoned.
2. That pending the final determination of the civil proceedings or any application for the recovery of damages or losses suffered by the Department of Employment and Labour, which shall be instituted within 60 (sixty) days with this application, the First and Second Respondents or any other person with the knowledge of the order of the Special Tribunal be interdicted and restrained from selling, disposing, leasing, encumbering (including by granting rights of retention), transferring, donating or dealing in any manner whatsoever, the immovable property described below:

Sectional plan SS 251/2004 Sienna Estate Scheme Hillcrest, Ethekwini Municipality of which 230 squares metres held under Title Deed number ST25525/2011, registered under the name of the First Respondent.

3. The orders made above in prayers 1 and 2 shall operate with immediate effect pending the institution and finalisation of the review application (and execution steps based on such outcome) and or any civil proceedings to be instituted by the Applicant.
4. That the Respondent(s) or so desiring may apply for the reconsideration of this order or any part thereof in terms of Rule 12(9) of the Special Tribunal Rules, and that such parties shall avail themselves to attend a judicial case management meeting as arranged by the Registrar of this Tribunal and/or the Registrar/Clerk of the Presiding Member of this Tribunal, where dates for the filing of further papers and the hearing of the reconsideration application shall be determined in terms of Rule 19 of the Special Tribunal Rules.
5. That pending the finalization of the application and/or civil proceedings referred to in prayer 3 above, the Third Respondent (Deeds Registries Office: Durban) is directed to register a caveat against the immovable property, more fully described as Sectional plan number SS 251/2004 Sienna Estate Scheme Hillcrest, Ethekwini Municipality of which is 230 square metres held under Title Deed number ST25525/2011, registered under the name of the Second Respondent (“**the disputed property**”), that absent a written agreement

concluded between the Applicant and any of the parties in this application, in respect of the sale of the first disputed property; or an order of this Tribunal or the Court sanctioning the transfer of the Property, the transfer and/or encumbrance of the first disputed property is prohibited;

6. Pending the finalisation of all proceedings in this application, the first and second respondents shall jointly and severally remain obliged to continue to pay all financial obligations in respect of the disputed property which shall include but not be limited to levies and insurance.
7. The costs of this application are reserved.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT	
SPECIAL TRIBUNAL CNR AMANDA AVENUE & RIFLE RANGE ROAD, OAKDENE	
	2025-12-19
	Signature of Issuing Officer Name: <i>M. Mashilane</i>
C/A No: One	
REGISTRAR	



JUDGE M VICTOR

PRESIDENT OF THE SPECIAL TRIBUNAL

TO:

Counsel for the Applicant: Advocate Lerato Mashilane

Instructed by: Lekhu Pilson Attorneys

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