

REPUBLIC OF SOUTH AFRICA



SOUTH GAUTENG HIGH COURT, JOHANNESBURG

CASE NO. : 27808/2011

ABSEQ PROPERTIES (PTY) LTD

Applicant

and

MAROUN SQUARE SHOPPING CENTRE (PTY) LTD

First Respondent

ORION PROPERTIES 14 (PTY) LTD

Second Respondent

CITY OF JOHANNESBURG

Third Respondent

SCHABORT DOGTERS TRUST

Fourth Respondent

SUGGESTED FLYNOTE

Town planning – meaning of "person ... interested" for purposes of section 69(6)(b) (iv) of the Town-Planning and Townships Ordinance, 15 of 1986 (T) ("the Ordinance") – restrictive meaning – *eiusdem generis* rule applied.

Town planning – merger of townships – not beyond powers of an authorised local authority acting in terms of the Ordinance.

Town planning – notification of change of owner in terms of section 78(1) of the Ordinance – section 78(1) taking precedence over section 140A – application for establishment of township ends upon proclamation – change of ownership may be advised until that time.

Administrative law – section 7(1) of PAJA – delay – supine attitude does not apply when the applicant has no knowledge of the decision.