



PROVINCE OF THE EASTERN CAPE
IPHONDO LEMPUMA KOLONI
PROVINSIE OOS-KAAP

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GENERAL NOTICE

No. 246**IN THE HIGH COURT OF SOUTH AFRICA
(EASTERN CAPE HIGH COURT, PORT ELIZABETH)**PORT ELIZABETH, Wednesday, the 17th day of June 2009

BEFORE The Honourable Mr Justice VAN DER BYL (AJ)

Case No. 1495/2009

In the matter between:

**NEVILLE PETRUS PRINSLOO
(Identity Number: 631006 5183 086)****1ST APPLICANT****CELESTE DESIREÉ PRINSLOO
(Identity Number: 580612 0139 089)****2ND APPLICANT**

and

**THE REGISTRAR OF DEEDS,
CAPE TOWN****RESPONDENT**

Having heard Advocate Huisamen, Counsel for the Applicants, and having read the documents filed of record.

IT IS ORDERED:

1. That, calling upon all interested parties to show cause to this Honourable Court on 14 July 2009 at 09h30, or as soon thereafter as the matter may be heard:
 - (a) why the restrictions set forth in clauses 4, 5, 6, 7, 8 and 9 of Deed of Transfer No. T40914/2007 relating to Erf 2465 Newton Park, Port Elizabeth, should not be deleted;
 - (b) why the failure of the Applicants to procure the relief sought in this application from this Honourable Court prior to the commencement of their proceedings to rezone the said Erf 2465

Newton Park, Port Elizabeth, should not be condoned.

2. That the Applicants are to serve a copy of any rule nisi which the Honourable Court may be disposed to grant with regard to the matter on:
 - (a) the Nelson Mandela Bay Metropolitan Municipality;
 - (b) the Premier of the Eastern Cape Government, c/o the Office of the State Attorney, Western Road, Port Elizabeth, alternatively, the Master of the High Court, Port Elizabeth;
 - (c) the holder of the mortgage bond registered over the property, ABSA Bank Limited;
 - (d) the Registrar of Deeds, Cape Town;
 - (e) the owners of Erven 209, 208 and 2451 Newton Park and Erven 179, 176, 174, 172, 170 185, 183 and 181 Cotswold, Port Elizabeth,to be served on the aforesaid parties by hand delivery.
3. That the Applicants is to publish any rule nisi which this Honourable Court may be disposed to issue:
 - (a) in English and in Afrikaans in the Provincial Gazette of the Eastern Cape Government;
 - (b) in English in "The Herald" newspaper and in Afrikaans in "Die Burger (Oos-Kaap)" newspaper.
4. That the Applicants make known, in the advertisements referred to above, that a complete set of the papers relating to this application will be available for inspection by any interested party at the offices of the Applicants' attorneys at Cnr. Churchill & Roosevelt Streets, Glendinningvale, Port Elizabeth.

BY ORDER OF THE COURT


pp REGISTRAR

Sonet Pieterse Inc.