

IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA

CC Case no:

DCLD Case no 4225/2006

In the matter between:

ELIZABETH GUMEDE (BORN SHANGE)

Applicant

and

**PRESIDENT OF THE REPUBLIC OF
SOUTH AFRICA**

First Respondent

**MINISTER OF JUSTICE AND
CONSTITUTIONAL DEVELOPMENT**

Second Respondent

PREMIER OF KWAZULU-NATAL

Third Respondent

**KWAZULU-NATAL MEC FOR TRADITIONAL
AND LOCAL GOVERNMENT AFFAIRS**

Fourth Respondent

AMOS GUMEDE

Fifth Respondent

MINISTER OF HOME AFFAIRS

Sixth Respondent

WOMEN'S LEGAL CENTRE TRUST

Intervening as *Amicus Curiae*

NOTICE OF APPLICATION IN TERMS OF RULE 16(4)

KINDLY TAKE NOTICE that the Applicant hereby applies in terms of Rule 16(4) for an order in terms of section 172(2)(d) of the Constitution, confirming the order of constitutional invalidity made by Theron J in the Durban and Coast Local Division of the High Court on 13 June 2008.

TAKE NOTICE FURTHER that the affidavit of **SHARITA SAMUEL** is attached hereto in support of this application.

DATED at **DURBAN** this 18TH day of **JUNE 2008**.

LEGAL RESOURCES CENTRE

Applicant's Attorneys
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TO: THE REGISTRAR
Constitutional Court
JOHANNESBURG

AND TO: STATE ATTORNEY
1st, 2nd, 3rd, 4th & 6th Respondents' Attorneys
6th Floor
Metropolitan Life Building
391 Smith Street
DURBAN
Ref: Mary Hlope:116/680/05/G/P25

AND TO: AMOS GUMEDE
Fifth Respondent
KwaMakhuta Area
(Next to KwaKhanyile Store)
Adams Mission
DURBAN
Also C/O Mbele Dube & Partners
Suite 107, 1st Floor
Queen City, 54 Queen Street
DURBAN

AND TO: WOMEN'S LEGAL CENTRE
4th Floor, Pearl House
Adderley Street
HEERENGRACHT
C/O Z K Seedat & Company
5th Floor, KMS House
173 Grey Street
DURBAN

AND TO: THE REGISTRAR
North Eastern Divorce Court
Somsteu Road
DURBAN
Case Number: 161/03