

IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA

Case no. in CC:
Case no. in WCHC: 11440/17

In the matter between:-

ROBINHA SARA NANDUTU	First Applicant
JAMES FERRIOR TOMLINSON	Second Applicant
ILIAS DEMERLIS	Third Applicant
CHRISTAKIS FOKAS TTOFALLI	Fourth Applicant

and

THE MINISTER OF HOME AFFAIRS	First Respondent
THE DIRECTOR-GENERAL, DEPARTMENT OF HOME AFFAIRS	Second Respondent
VFS VISA PROCESSING (SA) (PTY) LTD T/A VFS GLOBAL	Third Respondent

NOTICE OF MOTION: DIRECT APPEAL IN TERMS OF RULE 19

TAKE NOTICE that the Applicants hereby apply for leave to appeal in terms of Rule 19 of Constitutional Court Rules 2003, against the whole of the Judgment and Order handed down by the Western Cape Division of the High Court on 18 April 2018 (per

Thulare AJ), dismissing the application brought by the Applicants under case number 11440/17.

TAKE FURTHER NOTICE that the details of the Judgment against which leave to appeal is being sought, the grounds for such an appeal, a description of the Constitutional matter being raised in this application, all issues relating to such matter and all other relevant issues are dealt with in the affidavit of the Applicants' attorney, **GARY SIMON EISENBERG**, which is annexed hereto in support of this application.

TAKE FURTHER NOTICE that the Applicants appoints the address of Eisenberg and Associates care of WEBBER WENTZEL, 90 Rivonia Road, Sandton, Johannesburg, 2196, as the address where all notice and correspondence in respect of this matter will be received.

TAKE FURTHER NOTICE that if you wish to respond to this Application, you should do so in writing, within ten (10) days from date upon which this Application is lodged with the Registrar, and indicate whether or not you oppose this application for leave to appeal and if so, the grounds for such opposition.

Signed at CAPE TOWN on this 8th day of MAY 2018.

EISENBERG AND ASSOCIATES

Attorneys for applicants

Per: Gary Eisenberg

Care of WEBBER WENTZEL

Mr Moray Hathorn

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TO: **THE REGISTRAR OF THE CONSTITUTIONAL COURT**

1 Hospital Street

Constitution Hill

Braamfontein

Johannesburg

2017

AND TO: **THE MINISTER OF HOME AFFAIRS**

c/o the State Attorney

22 Long Street

Cape Town

Ref: 1488/17/P31

(TLombard@justice.gov.za and KWorship@justice.gov.za)

Tel: 021-441 9200

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AND TO: **THE DIRECTOR-GENERAL OF THE
DEPARTMENT OF HOME AFFAIRS**

Second Respondent

Department of Home Affairs

230 Johannes Ramokhoase Street

Hallmark Building,

PRETORIA, 0001

(mkuseli.apleni@dha.gov.za and deon.erasmus@dha.gov.za)

Tel: 012-406 2501

Fax: 086 512 7864 or 086 493 0890

AND TO: **VFS VISA PROCESSING (SA) (PTY) LTD T/A VFS GLOBAL**

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