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**IN THE LAND CLAIMS COURT OF SOUTH AFRICA
[HELD AT RANDBURG]**

Case no: LSC94/2012

In the matter between:

MINISTER OF RURAL DEVELOPMENT AND LAND REFORM **Applicant**

and

MAMAHULE COMMUNAL PROPERTY ASSOCIATION	First Respondent
MAMAHULE COMMUNITY	Second Respondent
MAMAHULE TRADITIONAL AUTHORITY	Third Respondent
THE UNLAWFUL OCCUPIERS OF THE FARM KALKFONTEIN 1001 LS	Fourth Respondent
MOJAPELO COMMUNITY (Maboi)	Fifth Respondent
MOTHIBA COMMUNITY	Sixth Respondent
MOTHAPO COMMUNITY	Seventh Respondent
THOLONGWE COMMUNITY	Eighth Respondent
POLOKWANE MUNICIPALITY	Ninth Respondent

**AMENDED NOTICE OF MOTION
(APPLICATION IN TERMS OF SECTION 6 (3) OF THE RESTITUTION OF
LAND RIGHTS ACT NO: 22 OF 1994)
read with
SECTION 5 OF THE PIE ACT NO: 19 OF 1998**

BE PLEASED TO TAKE NOTICE the Minister of Rural Development and Land Reform (herein after referred to as the applicant) intends making application during the hearing of the matter to amend the applicants notice of motion to provide for the following terms:

1. That this matter be heard as a matter of urgency and that the applicant's non compliance with the forms, time periods and methods of service in terms of the Rules of this Court is condoned.
2. Interdicting and restraining the first, second and third respondents or any other person/s or entity acting by or through it/them from selling, donating or in any other manner whatsoever granting title or authorising the development, demarcation subdivisions, or occupation of the farm Kalkfontein 1001LS ("the farm") pending the final determination of the right and title to restoration of the farm to the lawful owners.
3. Directing the first, second, third and fourth respondents an all person/s claiming rights, title or interest to occupation of the farm Kalkfontein 1001LS ("the farm"), through or under them to remove all corrugated iron housing structures and other structures ("the structures") constructed on the farm to vacate the aforesaid property within one month from the date on which the order is granted;
4. Authorising the sheriff and/or his deputy, should the first to fourth respondents not so remove the structures and vacate the property within one month of the grant of this order, to evict, demolish and remove the structures erected on the property by them and any

other person/s claiming rights and/or interest through or under them.

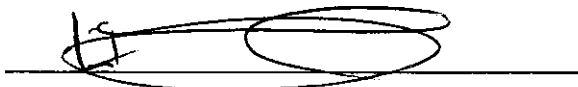
5. Declaring that the first, second, third and the fourth respondents or any other person acting through them have no legal right or title to take occupation of the farm Kalkfontein 1001 LS pending the final determination of the rights and title to the restoration of the farm in accordance to the Restitution Act.
6. Declaring that the first, second, third and the fourth respondents or other persons acting for them to have no legal right or title to take occupation of portion 146, 147 and 153 of the farm Kalkfontein 1001 LS, pending the final determination of the rights and title thereto and the restoration of the farm to all lawful beneficiaries in accordance to the Restitution Act.
7. Declaring that the first, second, third and the fourth respondent are unlawful occupiers of the farm Kalkfontein as defined in the PIE Act, Act No: 19 of 1998.
8. Granting an order that the first, second, third, and fourth respondents be evicted from Kalkfontein farm 1001 LS or from the portions of Kalkfontein farm which are referred to in prayer 6 above.

9. Directing the first to fourth respondent and/or any such person/s who oppose this application to pay the costs of this application.

10. Granting the applicant such further and/or alternative relief.

KINDLY ENROL THE MATTER ACCORDINGLY.

DATED AT PRETORIA on this the 06TH day of SEPTEMBER 2012



STATE ATTONEY
Applicant's attorneys
20TH FLOOR SALU BUILDING
225 SCHOEMAN STREET
PRETORIA
TEL: (012) 309 1629
FAX: (012) 309 1649.50/0865699187
REF: MS T .C LITHOLE.2510/2012/Z78/be

TO: THE REGISTRAR OF THE LAND CLAIMS COURT
TRUST BANK CENTRE
RANDBURG MALL
CORNER OF HILL STREET AND KENT CENTRE
TEL: 011 781 2291
FAX: 011 781 2217/8
P. O BOX 10060
RANDBURG 2125

**AND TO: MAMAHULE COMMUNITY
SECOND RESPONDENT**
Care of Lesiba Ezekiel Matsaung
649 Zone A
**MAKWENG
LIMPOPO**

acknowledged receipt hereof on this
10 day of Sept. 2012
E. Mavuso.
LILLIAN DU PLESSIS INC

**AND TO: MAMAHULE TRADITIONAL AUTHORITY
THIRD RESPONDENT**
(as directed)

**AND TO: THE UNLAWFUL OCCUPIERS OF
FARM KALKFONTEIN 1001LS
FOURTH RESPONDENT**

**AND TO: MOJAPELO COMMUNITY
FIFTH RESPONDENT**
Care of P Mojapelo, Ga-Mojapelo
Tribal Office Maboi
POLOKWANE

**AND TO: MOTHIBA COMMUNITY
SIXTH RESPONDENT**
Care of Kgoshi Mothiba C
Depilaneng, Mosahte
GA-MOTHIBA 0726

**AND TO: MOTHAPO COMMUNITY
SEVENTH RESPONDENT**
Care of Kgosi TJ Mothapo
Mothapo Royal Council
27 Moshate,
GA-MOTHAPO

**AND TO: THOLONGWE COMMUNITY
EIGHTH RESPONDENT**
Care of Kgoshigaid MOthapo
Bokgakga Traditional Council
117 Moshate Village

GA-MOTHAPO 0734

**AND TO: POLOKWANE MUNICIPALITY : CAPRICORN DISTRICT
NINTH RESPONDENT
Capricorn District, Civic Centre
Corner Landros Mare and Bodenstein Street
POLOKWANE**