



IN THE HIGH COURT OF SOUTH AFRICA  
(GAUTENG DIVISION, PRETORIA)

CASE NO: 62092020

- (1) REPORTABLE: YES / NO  
(2) OF INTEREST TO OTHER JUDGES: YES/NO  
(3) REVISED. YES

28 January 2021  
DATE

  
SIGNATURE

In the matter between:

**DAVID CHAUKE**

Plaintiff

and

**THE KINGDOM OF THE NETHERLANDS**

First Defendant

**THE MINISTER OF FOREIGN AFFAIRS**

Second Defendant

**THE CEO OF EMIRATES AIRLINES**

Third Defendant

**THE CEO OF PENTRAVEL AGENCY**

Fourth Defendant

**THE CEO OF NEDBANK**

Fifth Defendant

**THE MINISTER OF INTERNATIONAL  
RELATIONS AND CO-OPERATION**

Sixth Defendant

**THE PRESIDENT OF THE REPUBLIC OF**

Seventh Defendant

**SOUTH AFRICA**

**THE MINISTER OF FINANCE OF THE  
REPUBLIC OF SOUTH AFRICA**

Eighth Respondent

**THE MINISTER OF POLICE OF THE  
REPUBLIC OF SOUTH AFRICA**

Ninth Defendant

**THE MINISTER OF TRANSPORT FOR THE  
REPUBLIC OF SOUTH AFRICA**

Tenth Defendant

**THE GOVERNOR OF THE SOUTH AFRICAN  
RESERVE BANK**

Eleventh Defendant

**THE CEO OF SANRAL**

Twelfth Defendant

**THE BANKING ASSOCIATION OF THE  
REPUBLIC OF SOUTH AFRICA**

Thirteenth Defendant

**THE MINISTER OF TRADE AND INDUSTRY  
OF THE REPUBLIC OF SOUTH AFRICA**

Fourteenth Defendant

**THE NATIONAL CREDIT REGULATOR OF  
SOUTH AFRICA**

Fifteenth Defendant

**THE MINISTER OF VALUATIONS-  
PLANNING AND MONITORING IN THE  
PRESIDENCY**

Sixteenth Defendant

**THE OMBUDSMAN FOR BANKING  
SERVICES FOR THE REPUBLIC OF SOUTH  
AFRICA**

Seventeenth Defendant

**THE MINISTER OF HIGHER EDUCATION OF  
THE REPUBLIC OF SOUTH AFRICA**

Eighteenth Defendant

**HUMAN RIGHTS COMMISSION TO THE  
UNITED NATIONS**

Nineteenth Defendant

**THE LEGAL PRACTICE COUNCIL OF  
SOUTH AFRICA**

Twentieth Defendant

<b>MASHEGO ATTORNEYS INCORPORATED</b>	Twenty First Defendant
<b>THEMBA NGOBENI ATTORNEYS</b>	Twenty Second Defendant
<b>EVANS MATHEBULA</b>	Twenty Third Defendant
<b>RADEBE ATTORNEYS INCORPORATED</b>	Twenty Fourth Defendant
<b>GOODMAN MHLANGA</b>	Twenty Fifth Defendant
<b>WITS LEGAL CLINIC</b>	Twenty Sixth Defendant
<b>PROFESSOR CHARLES JORDI</b>	Twenty Seventh Defendant
<b>THE JUDICIAL SERVICE COMMISSION OF SOUTH AFRICA</b>	Twenty Eighth Defendant
<b>THE JOHANNESBURG SOCIETY OF ADVOCATES</b>	Twenty Ninth Defendant
<b>ADVOCATE TSHEPO NYANDENI</b>	Thirtieth Defendant
<b>MACINTYRE VAN DER POST INC.</b>	Thirty First Defendant
<b>CEO OF VFSS GLOBAL AGENCY</b>	Thirty Second Defendant
<b>HLONGA INCORPORATED ATTORNEYS</b>	Thirty Third Defendant
<b>MINISTER OF JUSTICE AND CORRECTIONAL SERVICES</b>	Thirty Fourth Defendant

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## **JUDGEMENT**

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I am the author of this judgment and prepared it myself. It will be handed down electronically by circulation to the parties' representatives by way of electronic mail and by uploading it to the electronic file of this matter on the electronic application called Caselines. The date on which this judgment is handed down shall be deemed to be 28 January 2021.

**AVVAKOUMIDES AJ**

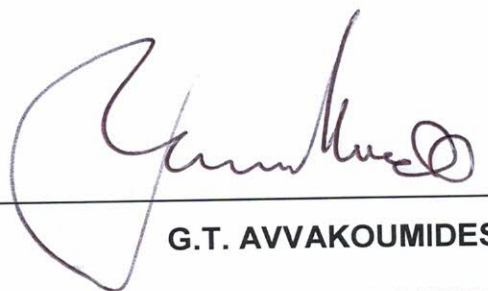
**INTRODUCTION:**

1. This is an application for leave to appeal against my judgment dated 5 January 2021 (duly amended in terms of rule 42, such amended judgment having been handed down on 28 January 2021 – “the judgment”) in terms of which the exceptions of the State Defendants and the Eleventh Defendant, were upheld with costs.
2. The applicant appeared in person again. I specially drew his attention to the provisions of section 17 of the Superior Courts Act 10 of 2013 and the requirements thereof in an application of this nature. Regrettably fully the applicant insisted on dealing with the merits in respect of what he perceives to be his cause of action. The application for leave to appeal deal equally with a litany of vexatious and non-sensical matters brought by the applicant spanning over a decade as between 2009 and 2020.
3. The applicant, despite being reminded several times to limit his submission to the application for leave to appeal, persisted in delving into matters not before me and went as far as to accuse the court of bias in favour of the state because I decided the exception on technicalities without considering the merits of the case. The reason is that the applicant believes that I am on the side of the defendants. It is clear to me that the applicant does not understand the legal process alternatively is



cleverly portraying himself as ignorant to extract payment from the other litigants. I gained this impression by the comments the applicant made that the “defendants should just make an offer to him” and “if they can only negotiate”. He went as far to suggest that the defendants should simply pay him an amount to enable him to instruct attorney on his behalf. He intimated that I should order the defendants to negotiate with him.

4. The application before me stands to be decided upon that which is contained in the application. The application itself is excipiable too. The applicant, after the judgment of 5 January 2021, attempted to amend the particulars of claim, without curing any of the complaints raised.
5. Consequently, I dismissed the application for leave to appeal with costs and undertook to provide reasons to all parties concerned. That is the purpose of this judgment. It goes without saying that I am not persuaded that another court would come to a different conclusion or that there is any compelling reason, in the interests of justice, to grant leave to appeal.



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**G.T. AVVAKOUMIDES**  
**ACTING JUDGE OF THE HIGH COURT**  
**GAUTENG DIVISION, PRETORIA**

Representation for parties:

On behalf of Plaintiff: D Chauke (in person)

On behalf of Eleventh Defendant: SJ Martin

Instructed by: Tshisevhi Gwana Ratshimbilani Inc.

On behalf of the Second, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Fourteenth, Sixteenth, Eighteenth and Thirty Fourth Defendants (the State Defendants)

M.M Mojaelo with G.M. Mamabolo

Instructed by: The State Attorney