

**IN THE HIGH COURT OF SOUTH AFRICA  
(WESTERN CAPE DIVISION, CAPE TOWN)**

"X"  
6.3.26  
*[Signature]*

Case No: 2026-050179

**On Friday, 6 March 2026 at Cape Town**  
**Before the Honourable Ms Justice Cloete**

In the matter between:

**THE MEMBER OF EXECUTIVE COUNCIL  
WESTERN CAPE GOVERNMENT: DEPARTMENT OF  
MOBILITY**



Applicant

And

**CAPE AMALGAMATED TAXI ASSOCIATION (CATA)**

First Respondent

**SAXONWOLD LOCAL TAXI ASSOCIATION**

Second Respondent

**CONGRESS OF DEMOCRATIC TAXI ASSOCIATIONS  
(CODETA)**

Third Respondent

**ATLANTIS TAXI ASSOCIATION**

Fourth Respondent

**CODETA KHAYELITSHA KILLARNEY LOCAL TAXI  
ASSOCIATION**

Fifth Respondent

**XAVIER MCLEAN**

Sixth Respondent

**CHRISTOPHER LEWIS**

Seventh Respondent

**CARLO MOUTON**

Eighth Respondent

**WESLEY LEIBENBERG**

Ninth Respondent

**JEAN JACOBS**

Tenth Respondent

**SHANNON GILBERT**

Eleventh Respondent

**THERSIA PRETORIUS**

Twelfth Respondent

MORNE ABRAHAMS

Thirteenth Respondent

MARCO HESS

Fourteenth Respondent

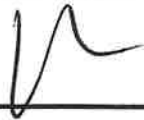
DILLON PRETORIUS

Fifteenth Respondent

DONEVE PRETORIUS

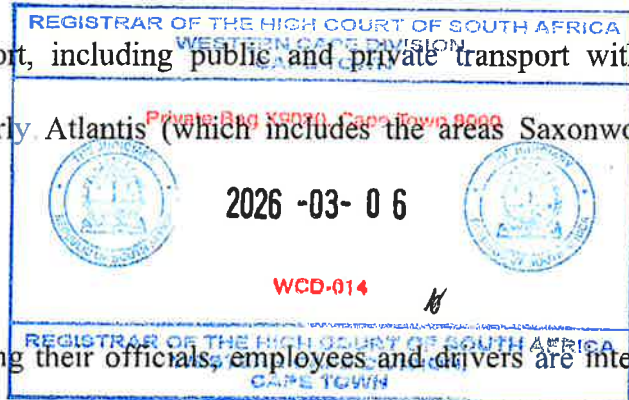
Sixteenth Respondent

~~DRAFT ORDER~~



**HAVING READ THE PAPERS FILED ON RECORD AND HAVING HEARD COUNSEL FOR THE APPLICANT AND THE SECOND, THIRD, FOURTH AND FIFTH RESPONDENTS, IT IS HEREBY ORDERED AS FOLLOWS:**

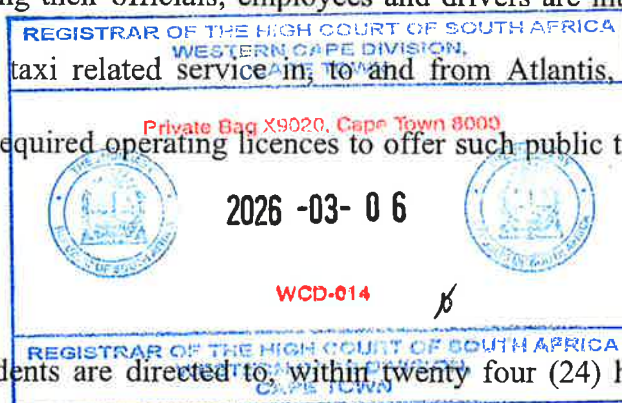
1. That the respondents (for purposes of this order, other than the sixth and sixteenth respondents who are dealt with separately in paragraph 6 below), including their officials, employees and drivers are interdicted and prevented from interfering with any or all modes of transport, including public and private transport within the Western Cape, and particularly Atlantis (which includes the areas Saxonwold and Witsand).



2. That the respondents, including their officials, employees and drivers are interdicted or prevented from assaulting, intimidating, threatening or interfering with the officials, employees and drivers of other registered and unregistered Local Taxi Associations within the Western Cape, particularly at:

2.1. the Potsdam Public Transport Interchange and Taxi Rank;

- 2.2. the formal taxi rank in the Atlantis Central Business District, on Westfleur Circle, in Avondale; and
- 2.3. the Witsand informal taxi rank, which is an informal taxi rank situated in the Saxonwold district of Atlantis.
3. That the respondents, including their officials, employees and drivers are directed to comply with the conditions of the operating licences issued to them, to the extent that they have been issued with operating licences to offer public transport services.
4. That the respondents, including their officials, employees and drivers are interdicted from rendering any minibus taxi related service in, to and from Atlantis, without having been issued with the required operating licences to offer such public transport services.
5. That the first to fifth respondents are directed to, within twenty four (24) hours of service of this order, take all reasonable steps to ensure that their members, employees and taxi drivers desist from the unlawful conduct as described in paragraphs 2, 3 and 4 above, and to, by **Monday, 16 March 2026** submit a written report by their respective executive committees to the applicant, care of the State Attorney, Cape Town (Attention David Mashigo; email: dmashigo@justice.gov.za), as to the steps they had taken in order to comply with the provisions of this paragraph.
6. This application is, in relation to the sixth and sixteenth respondents, postponed to the urgent roll on **Friday, 20 March 2026**. Paragraphs 1 to 4 of this order shall, however,

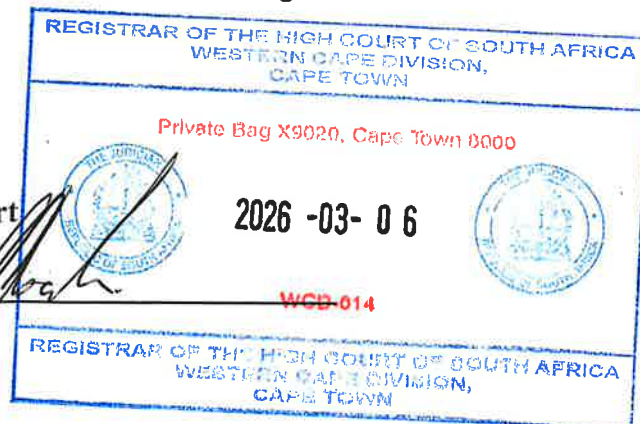


in relation to the sixth and sixteenth respondents, operate as an interim interdict with immediate effect, pending the further hearing of this application on **Friday, 20 March 2026**. The applicant is required serve this application as well as this order on the sixth and sixteenth respondents.

7. The applicant is required to serve this order on the first and second and seventh to fifteenth respondents in at least a similar manner as it served this application, as set out in the affidavit of service deposed to by Mr. David Mashigo.
8. It is recorded that the second respondent filed a notice to abide and third, fourth and fifth respondents filed an explanatory affidavit, deposed to by Mr. Edgar Mohale on **6 March 2026**.
9. There is no order as to costs as against the first to fifth and seventh to fifteenth respondents.

By Order of the Court

Court Registrar



State Attorney, Cape Town

Applicant's attorneys, 5<sup>th</sup> Floor, 22 Long Street, Cape Town, Box Number: 30

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