

DEPARTEMENT
VAN JUSTISIE



DEPARTMENT
OF JUSTICE

REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

I H LABUSCHAGNE
PORT SAIL CHARTERS
19 FENTEN ROAD
DURBAN
4001

KANTOOR VAN DIE GRIFFIER VAN DIE
KONSTITUSIONELE HOF VAN SUID-AFRIKA/
OFFICE OF THE REGISTRAR OF THE
CONSTITUTIONAL COURT OF SOUTH AFRICA
PRIVAATSAK/PRIVATE BAG X32
BRAAMFONTEIN 2017
TEL (011) 403-8032
FAKS/FAX (011) 403-6524

VERWYSING/REFERENCE

1/6/26 M S NIENABER

11/7/94

REGISTRATION OF MATTER / PLACING ON ROLE.

Your fax dated 30 June 1994 refers.

I have to advise you that no rules regarding the procedure to be followed for bringing matters to this court have yet been formulated. When the rules have been finalised public notice of the matter of fact will be given.

I draw your attention to the provisions of section 102 of the Constitution of the Republic of South Africa, 1993, which deals with the procedure to be followed in respect of constitutional issues raised in matters being heard by a division of the Supreme Court.


M S NIENABER
REGISTRAR



ro/ labus2

THE CONSTITUTIONAL COURT

Reference: CCT 42/96

27 March 1997

Mr I H Labuschagne
c/o Upper Room Assembly
26 Kapteijn Street
HILLBROW
2001

Dear Sir

RE: CASE NO. CCT 42/96 - LABUSCHAGNE, ST JOHN'S APOSTOLIC FAITH MISSION versus MARAGU AND OTHERS

With reference to your application for leave to appeal to the Constitutional Court, I wish to refer you to the attached Court order issued by the Registrar of the Constitutional Court in terms of which your application has been refused.

Sincerely yours

D C C DU PLESSIS
DIRECTOR: CONSTITUTIONAL COURT

4 April 1997

I H Labuschagne
C/O Upper Room Assembly
26 Kapteijn Street
Hillbrow

The Registrar
Constitutional Court of South Africa
33 Hoofd Street
Braamfontein

Dear Sir,

I received in the mail today, an unsigned letter by the director of the Constitutional Court dated the 27th of March 1997 which simply states:-

With reference to your application for leave to appeal to the Constitutional Court, I wish to refer you to the attached Court order issued by the Registrar of the Court in terms of which your application has been refused.

A Court Order is attached which simply states:-

The Justices of the Constitutional Court made the following ruling.

The application for leave to appeal is refused.

Please ask the Director of the Constitutional Court to forward a signed copy of his letter.

Please advise when I can expect the full written reasons for this judgement as I am entitled to in terms of section 23 of Act 200/1993 (section 33 of Act 200/1993 as amended).

Yours faithfully,



I H Labuschagne



THE CONSTITUTIONAL COURT

REFERENCE:

CCT 42/96

Mr I H Labuschagne
c/o Upper Room
26 Kapteijn Street
HILLBROW
2001

7 April 1997

Dear Sir

RE: CASE NO 42/96- LABUSCHAGNE, ST JOHN'S APOSTOLIC FAITH MISSION
VERSUS MARAGU AND OTHERS

With reference to your letter of 4 April 1997, I wish to attach for your records the signed letter by the Director of the Constitutional Court. In respect of your request for written reasons, I would like to refer you to section 23 of the interim Constitution of the Republic of South Africa, 1993 (Act 200 of 1993) and section 33 of the new Constitution, 1996 (Act 108 of 1996) which came into operation on 4 February 1997 which specifically refer to administrative action in respect of which written reasons must be given if requested to do so. In Case No.42/96 the Constitutional Court gave a judgment as required by law as reflected in the order of court that had been transmitted to you. The Constitutional Court is the highest court in all constitutional matters and an order issued by the court is binding on all persons to whom it applies. A judgment and a court order are distinguishable from administrative action as a judicial manifestation which, as trite law, is not subject to the enactment you have referred to. Under the circumstances your request cannot be acceded to.

Yours sincerely

MS STANDER
REGISTRAR : CONSTITUTIONAL COURT



CONSTITUTIONAL COURT

Reference: CCT 42/96

27 March 1997

Mr I H Labuschagne
c/o Upper Room Assembly
26 Kapteijn Street
HILLBROW
2001

Dear Sir

RE: CASE NO. CCT 42/96 - LABUSCHAGNE, ST JOHN'S APOSTOLIC FAITH MISSION versus MARAGU AND OTHERS

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Sincerely yours

D C C DU PLESSIS
DIRECTOR: CONSTITUTIONAL COURT

BRAAMPARK FORUM II, 33 HOOFD STREET, BRAAMFONTEIN, JOHANNESBURG 2017

PRIVATE BAG X 32, BRAAMFONTEIN 2017

TELEPHONE:: (011) 403 - 8032, FACSIMILE:: (011) 403 - 6524



"CCR"

CONSTITUTIONAL COURT

CCT 42/97

**LABUSCHAGNE, IZAK HERMANUS
ST JOHN'S APOSTOLIC FAITH MISSION**

**1st Appellant
2nd Applicant**

versus

**JACOB MARAGU
BISHOP LINCE MREWEBI
BISHOP PIET SHABALALA**

**1st Respondent
2nd Respondent
3rd Respondent**

COURT ORDER

The Justices of the Constitutional Court made the following ruling:

The Application for Leave to Appeal in the above-mentioned case is refused.

M S Stander
**M S STANDER
REGISTRAR**