

IN THE HIGH COURT OF SOUTH AFRICA
KWAZULU- NATAL DIVISION, PIETERMARITZBURG

CASE NO: 5042/22P

In the matter between:

ANTHONY BRINK



APPLICANT

and

THE INFORMATION OFFICER-
JUDICIAL SERVICE COMMISSION

RESPONDENT

RESPONDENT'S ANSWERING AFFIDAVIT

1.

I, the undersigned,

Kutlwano Moretlwe

1

M.F
K.F

Do hereby make oath and state as follows:

2.

I am an adult female employed by the Respondent as State Law Advisor, stationed at number 188, 14th Road, Noordwyk, Midrand, Gauteng.

3.

I am authorised to depose of this affidavit on behalf of the Respondent.

4.

The facts contained herein, unless otherwise stated or indicated, are within my personal knowledge and are to the best of my knowledge and belief, both true and correct.

5.

Where I rely on the factual information obtained from the others, their confirmatory affidavits will accompany mine.

6.

I have read the Applicant's founding affidavit deposed to by the Applicant, Anthony Brink with the annexures thereto.

7.

I reply thereto as set out hereunder. Where I make legal submission I do so on the advice of my legal representatives.

2

M.P.
K.F.

- The Applicant's complaints were duly attended to by Justice Zondi and were subsequently dismissed.
- The Applicant appealed the dismissal of his complaints.
- Such appeal was considered in December 2021, the written outcome thereof is awaited and will be conveyed to the Applicant once it becomes available.

19.

AD PARAGRAPH 5

There is no decision that has been taken in respect of the allegations contained in paragraph 5 (five) of the Applicant's Founding Affidavit.

20.

AD PARAGRAPH 6.

Previously there was no letter that was issued to members when they were allocated cases dealing with complaints. The allocation was done randomly. The letter appointing Justice Molemela is attached as **Annexure "C"**.

21.

AD PARAGRAPH 7.

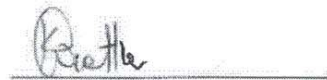
The complaint by the Applicant was allocated randomly to Justice Goliath. There is no letter to that effect.

M.P.
K.F.

Furthermore, I have been advised that such request by the Applicant can, in terms of section 45 of the PAIA Act, be viewed as a vexatious request and cannot be acceded to.

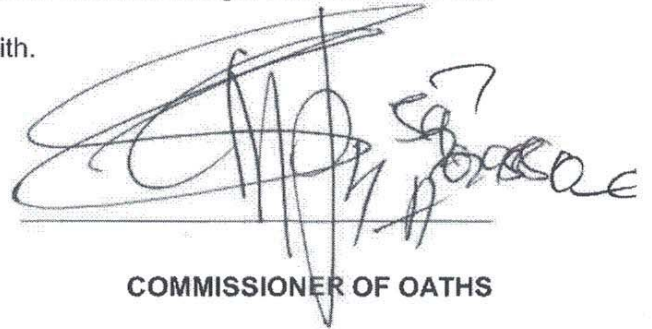
47.

I attach hereto "**Annexure M**", an explanatory affidavit in terms of section 23 of Act 2 of 2000.



DEPONENT

I certify that the deponent has acknowledged that she knows and understands the contents of this affidavit, which was signed and sworn to at MIDRAND before me on this 25 day of JULY 2022 the regulations contained in government notice no. R1258 of 21 July 1972 having been complied with.


COMMISSIONER OF OATHS

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M.F.
K.F.

FULL NAME:

PELE MATHA

BUSINESS ADDRESS:

601 ORANGE STREET

CAPACITY:

50 APARTMENTS

AREA:

MIDRAND

