



Statutory Notice 2718 - Notice Of Intention To Expropriate

Issued by the eThekweni Municipality ("the Municipality") in terms of Section 9(3) of the Housing Act (Act No. 107 of 1997) - read with Section 7(5) of the Expropriation Act (Act No. 63 of 1975)

TO: The owner(s) (within the meaning of that term as defined in Section 1 of the Act) of the properties described in the schedule hereto;

AND TO: All other persons claiming any right to or interest in the properties described in the schedule hereto, whether by virtue of registration or otherwise and particularly any lessee, buyer or builder contemplated in terms of Section 9 (1) (d) of the Act.

NOTICE OF INTENTION TO EXPROPRIATE LAND FOR HOUSING PURPOSES BY THE ETHEKWINI MUNICIPALITY IN LOWER MALUKAZI, ISIPINGO In order to carry out the upgrade of the existing informal settlement for inclusion into the Isipingo area Integrated Human Settlement, it will be necessary for the Municipality to acquire the properties reflected on the following schedule. This the Municipality deems prudent to achieve by means of expropriation in the interest of efficient administration. Any inconvenience or anxiety that the expropriation procedure may cause is sincerely regretted and accordingly, every effort will be made to assist you with any problems or queries you may have. However, before the Municipality proceeds any further you are:

a) Hereby given notice of the intention of the Municipality (subject to the approval of the MEC : Public Works and Human Settlements) to expropriate the properties listed in the schedule hereto, and

b) Invited to submit within 30 days of the date of this notice a written statement detailing any objections you may have to the proposed expropriation.

Your attention is directed to the following salient provisions of the Expropriation Act (Act No. 63 of 1975 which are applicable upon service of a Notice of Expropriation::

c) Section 9 (5) of the Expropriation Act which provides that "Any person who wilfully furnishes false or misleading particulars in any written instrument which he by the virtue of the provisions of subsection (1) or 3 (a) [of Section 9] delivers or causes to be delivered to the Minister, shall be guilty of an offence and liable on conviction to be punished as if he had been convicted of fraud."

d) Section 9 (6) of the Expropriation Act which provides that "Any person who without sufficient reason refuses or fails to comply with the request by the Minister in terms of subsection (3) [of





Section 9] shall be guilty of an offence and liable on conviction to a fine not exceeding R2,000 or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.”

e) The offer made by the Minister shall, in accordance with the provisions of Section 10 of the Expropriation Act, be regarded as having been accepted by you if an application for a determination of the amount of compensation by a Provincial or the Local Division of a High Court having jurisdiction in the area, is not submitted within 8 (eight) months (or such longer period as may be determined) from the date of the offer of compensation- unless it has been agreed, before the expiry period that the amount of compensation should be determined by the said court.

f) Section 19 of the Expropriation Act, which provides that any registered mortgage bonds held over an expropriated property shall be discharged as a preferential claim.

g) Section 8 (4) of the Expropriation Act, which reads as follows : “The owner of expropriated property shall from the date of expropriation to the date upon which the State takes possession of the property, take care and maintain the property, and if the owner willfully or negligently fails to do so and as a result thereof the property depreciates in value, the Minister may recover the amount in depreciation from the owner : Provided that the Minister shall compensate the owner for costs which, in the opinion of the Minister, were necessarily incurred after the date of expropriation in respect of such maintenance or care.”





NO	PROPERTY	REGISTERED OWNER	AREAS	NO	PROPERTY	REGISTERED OWNER	AREAS
1	ERF 169	MOTTIEN (MULTIPLE OWNERS)	2, 2183 Ha	70	ERF 250	SARABITI	2023, 0000 SQM
2	ERF 170	MOTTIEN (MULTIPLE OWNERS)	2, 2777 Ha	71	ERF 251	BADAT AHOMED	—
3	ERF 171	NARAINASS N.	2, 5480 Ha			(MULTIPLE OWNERS)	—
4	ERF 172	MOHANLAL (MULTIPLE OWNERS)	3, 0071 Ha	72	ERF 252	SINGHM RAMESH	—
5	ERF 173	MOTTIEN (MULTIPLE OWNERS)	3, 5729 Ha			(MULTIPLE OWNERS)	—
6	ERF 174	PORT NATAL PROP. SYND. PTY LTD	2, 4281 Ha	73	ERF 253	RAMKOUTAR,	800, 0000 DUM
7	ERF 175	GOVENDER A.M. & M.	2, 2547 Ha			SARABITI & RAMPERSAD	2023, 0000 SQM
8	ERF 176	MOODLEY K.M. & D.S.	1, 2141 Ha	74	ERF 254	NADASEN MUTHULINGUM	2023, 0000 SQM
9	ERF 177	PUSHPAVATHIE	1, 8740 Ha	75	ERF 255	CHINTHAMONI	2023, 0000 SQM
10	ERF 178	KHAN (MULTIPLE OWNERS)	2, 4281 Ha	76	ERF 256	MUNSAMY	2023, 0000 SQM
11	ERF 179	MUNAMMA	1, 2141 Ha	77	ERF 257	SINGH NISHI	3849, 0000 SQM
12	ERF 180	LAKHANPORE INV PTY LTD	1, 2141 Ha	78	REMAINDER		
13	ERF 181	ESTATE HURGOBIND	3, 6209 Ha		OF ERF 260	R.S.A.	2, 0234 Ha
14	ERF 182	SOUTH COAST SHOES PTY (LTD)	4, 0406 Ha	79	ERF 261		
15	ERF 183	MUNSAMY	1, 2141 Ha		MOOSA A. S.	(MULTIPLE OWNERS)	2, 0234 Ha
16	ERF 184	DAWOOD (MULTIPLE OWNERS)	1, 2141 Ha	70	ERF 262	R.S.A.	1, 9459 Ha
17	ERF 185	RAMHARACH		71	ERF 263	GUNGALDEEN	1, 9459 Ha
		(MULTIPLE OWNERS)	2, 4281 Ha			(MULTIPLE OWNERS)	7642 m²
18	ERF 186	ISMAIL M.	2, 4281 Ha	72	ERF 264	MOOSA A. (MULTIPLE OWNERS)	8094 m²
19	ERF 187	SONTHO	2, 4281 Ha	73	ERF 265	SIGN M. (MULTIPLE OWNERS)	1, 2170 Ha
20	ERF 188	SONI ABE	4047 m²	74	ERF 266	KADATH I. (MULTIPLE OWNERS)	1, 2147 Ha
21	ERF 189	BASHA SHEIK		75	ERF 267	HARGONAN N.P.	1, 2397 Ha
		(MULTIPLE OWNERS)	2, 0234 Ha	76	ERF 268	HARGONAN N.P.	1, 2162 Ha
22	ERF 190	LAZARUS S. G. & G. H.	2, 4281 Ha	77	ERF 269	HARGONAN N.P.	1, 2143 Ha
23	ERF 191	ETHEKWINI MUNICIPALITY		78	ERF 270	HARGONAN N.P.	1, 2143 Ha
24	PORTION 1 OF ERF 192	FAYERS J.	4595 m²	79	ERF 271	HARGONAN N.P.	
25	REMAINDER OF ERF 192	DUEPALL	2, 3731 Ha	80	PORTION 1 OF ERF 272	HARGONAN N.P.	1034 m²
26	PORTION 1 OF ERF 193	HARILLAL	8505 m²	81	REMAINDER OF ERF 272	HARGONAN N.P.	4, 1469 Ha
27	REMAINDER OF ERF 193	BURATH	7681 m²	82	REMAINDER OF ERF 273	BOROUGH OF ISIPINGO	1, 0295 Ha
28	ERF 194	ETHEKWINI MUNICIPALITY	1, 2141 Ha	83	REMAINDER OF ERF 274	UMBUMBULU PROP. CC.	2, 9096 Ha
29	ERF 195	SILVAL H. (MULTIPLE OWNERS)	2, 4281 Ha	84	PORTION 1 OF ERF 275	FARID S.	2187 m²
30	ERF 196	MAHAJ P. (MULTIPLE OWNERS)	2, 4281 Ha	85	PORTION 2 OF ERF 275	SEWERSAD S.	2173 m²
31	ERF 197	RAJBANSI (MULTIPLE OWNERS)	4047 m²	86	PORTION 4 OF ERF 275	PILLAYS.	2181 m²
32	ERF 198	ELLAURIE M.	8094 m²	87	REMAINDER OF ERF 275	NAIDOO R.R.	1, 6265 Ha
33	PORTION 1 OF ERF 199	RAMOO	4047 m²	88	REMAINDER OF ERF 275	APPAHMMAH	2176 m²
34	ERF 200	DURGAPERSADH (MULTIPLE OWNERS)	2, 4281 Ha	89	ERF 276	NARAIN	2187 m²
35	ERF 201	INDURIT	9053 Ha	90	ERF 277	CHUNILAL (MULTIPLE OWNERS)	2184 m²
36	ERF 202	MOONSAMY	1, 5228 Ha	91	ERF 278	BIPAT E.	
37	ERF 203	MAHABIR	5596 m²	92	ERF 279		
38	ERF 204	MAHABIR	4524 m²	93	ERF 280		
39	ERF 205	MARUTHAYE	3901 m²		HOOSSEN, G.	(MULTIPLE OWNERS)	2500 m²
40	ERF 206	NADASEN A.	2438 m	94	PORTION 1 OF ERF 281	NAIDOO (MULTIPLE OWNERS)	2023 m²
41	ERF 207	NADASEN A.	2301 m²	95	PORTION 2 OF ERF 281	NAIDOO (MULTIPLE OWNERS)	2024 m²
42	ERF 208	RAMLAKHAND.	4074 m²	96	PORTION 3 OF ERF 281	NAIDOO (MULTIPLE OWNERS)	4047 m²
43	ERF 209	MOHAN	4047 m²	97	REMAINDER OF ERF 281	NAIDOO (MULTIPLE OWNERS)	4080 m²
44	ERF 210	NAUCKER K.	4047 m²	98	ERF 282	BAGWANDEEN J.	4050 m²
45	ERF 211	KISTEN K.S.	2542 m²	99	ERF 283	LEHRI PTY LTD	8094 m²
46	ERF 212	MUNISANKAR A.	2023 m²	100	PORTION 1 OF ERF 284	LEHRI PTY LTD	2023 m²
47	ERF 213	DANWANTI	4047 m²	101	REMAINDER OF ERF 284	LEHRI PTY LTD	2206 m²
48	ERF 214	RABICHAND	9543 m²	102	ERF 285	HOOSAIN B.I.	2023 m²
49	ERF 215	NAIDOO A.		103	ERF 286	AMOD S.	2433 m²
50		(MULTIPLE OWNERS)	1, 1703 Ha	104	PORTION 1 OF ERF 287	VN. NAIK PTY LTD	4543 m²
51	ERF 216	RAMGOVIND			REMAINDER OF ERF 287	SOODYALL P.	1, 1669 Ha
52	ERF 217	(MULTIPLE OWNERS)	2, 1246 Ha	105	ERF 288	VATHIR DAMJEE (MULTIPLE OWNERS)	1, 6204 Ha
53	ERF 218	RAMGOVIND	2, 5797 Ha	106	ERF 289	RSA	1206,0000 SQM
54	ERF 219	(MULTIPLE OWNERS)	2, 0234 Ha	107	REMAINDER OF ERF 291	UMBUMBULU PROP CC	6660 m²
55	PORTION 1 OF ERF 220	DUEPALL (MULTIPLE OWNERS)	4936 m²	108	REMAINDER OF ERF 292	GOVENDER S.	3339 m²
56	PORTION 2 OF ERF 220	DUEPALL (MULTIPLE OWNERS)	4590 m²	109	REMAINDER OF ERF 293	GENGAYAN	
57	PORTION 3 OF ERF 220	DUEPALL (MULTIPLE OWNERS)	4720 m²			(MULTIPLE OWNERS)	1165 m²
58	REMAINDER OF ERF 220	DUEPALL (MULTIPLE OWNERS)	5824 m²	110	REMAINDER OF ERF 294		
59	ERF 221	(MULTIPLE OWNERS)	4047 m²		SUBBIAN	(MULTIPLE OWNERS)	1037 m²
55	MAHARAJ R. H.			111	REMAINDER OF ERF 295	NAIDOO D.	
	ERF 222	(MULTIPLE OWNERS)	4067 m²			(MULTIPLE OWNERS)	291 m²
56	MAHARAJ R. H.						
57	ERF 223	RAMPERSAD	4047 m²				
58	ERF 224	REEDASE E. (MULTIPLE OWNERS)	4191 m²				
59	ERF 225	PERUMAL P. (MULTIPLE OWNERS)	1, 6095 m²				
60	ERF 226	GOVENDER R. R.	9094 m²				
61	PORTION 1 OF ERF 227	LEACHMAN	6073 m²				
62	REMAINDER OF ERF 227	LEACHMAN	2018 m²				
63	ERF 228	GOVENDER R. R.	4049 m²				
64	ERF 229	ETHEKWINI MUNICIPALITY					
65	ERF 230	RAMBARAM	2023 m²				
66	ERF 231	LUTCHMAN B.	2023 m²				
67	ERF 232	RAMBAWATHIE	2023 m²				
68	ERF 233	RAMPATHIE	2023 m²				
69	ERF 248	SADANATH SHAKILA (MULTIPLE OWNERS)	2023,0000 SQM				
69	ERF 249	MUNSAMY	23023,0000 SQM				

ENQUIRIES can be directed to the Land Assembly Branch on 031-311 3171 or to Human Settlements Department, 3rd Floor, Shell House, 221 Anton Lembede Street, Durban.
WRITTEN STATEMENTS detailing any objections should be sent within 30 days of the date of notice to the Municipal Manager, City Hall, Durban, 4001.

Sibusiso Sithole
Municipal Manager
eThekweni Municipality, 1st Floor City Hall, Dr Pixley KaSeme Street, Durban

