

Editorial note: Certain information has been redacted from this judgment in compliance with the law.

IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG LOCAL DIVISION, JOHANNESBURG

CASE NO: 07555/2022

DATE: 29-11-2022

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<p>DELETE WHICHEVER IS NOT APPLICABLE (1) REPORTABLE: YES / NO. (2) OF INTEREST TO OTHER JUDGES: YES / NO. (3) REVISED. <u>DATE 29 November 2022</u> <u>SIGNATURE</u></p>

In the matter between

S S

Plaintiff

and

S SI & OTHER

Defendant

J U D G M E N T

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MSIBI AJ: In resisting the application before me, the respondents in this matter have drawn the attention of this Court to transactions that took place between the second respondent and the applicant, which gave rise to suspicions and also necessitated an investigation into the financial affairs of the applicant. As far as they are related or connected to the first respondent. As indicated in this proceedings today, the respondent seeks to know if the

first respondent is still benefiting from this company that he has disposed of or the companies that are now under the directorship of the applicant. I will not go into a lot of issues that were raised and argued since they are on record. I am not satisfied to the issue of the subpoenas in this matter constitute an abuse of process, neither am I convinced that same are being used for ulterior purposes. On the contrary, I am satisfied that the subpoenas are relevant to the determination of the financial affairs of the first respondent, such financial affairs being relevant to the adjudication of the maintenance inquiry that is pending before the magistrate. The subpoenas in
10 this matter are legitimate they were issued in the interest of justice. I am also satisfied that they have been issued in the interest of the minor children. As a result, the investigation is allowed. The application, by the applicant is dismissed and the applicant is order to pay the cost of this application.

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MSIBI AJ

JUDGE OF THE HIGH COURT

DATE:29 November 2022.....