

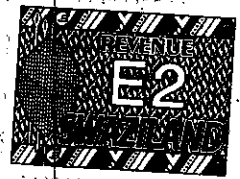
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IN THE HIGH COURT OF SWAZILAND

782/14

HELD AT MBABANE

CASE NO: ~~180119~~



In the matter between:

**MAXWELL MANQOBA THANDUKUKHANYA DLAMINI**

**1<sup>st</sup> APPLICANT**

**MFANAWENKHOSI MBHUNU MNTSHALI**

**2<sup>nd</sup> APPLICANT**

**DERRICK DICKSON NKAMBULE**

**3<sup>rd</sup> APPLICANT**

And

**THE PRIME MINISTER OF SWAZILAND**

**1<sup>st</sup> RESPONDENT**

**MINISTER OF JUSTICE AND CONSTITUTIONAL AFFAIRS**

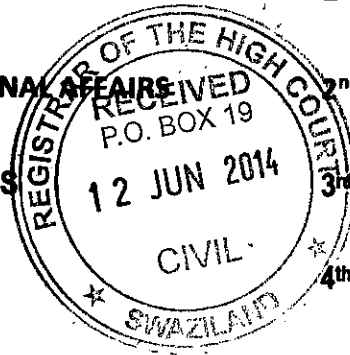
**2<sup>nd</sup> RESPONDENT**

**THE DIRECTOR OF PUBLIC PROSECUTIONS**

**3<sup>rd</sup> RESPONDENT**

**THE ATTORNEY GENERAL**

**4<sup>th</sup> RESPONDENT**



**NOTICE OF MOTION**

**BE PLEASED TO TAKE NOTICE THAT** an application will be made on behalf of the applicants' before the

above Honorable Court on FRIDAY the 25<sup>th</sup> day of JULY, 2014 at Wk.

about 09:30 hrs. or so soon thereafter as the matter may be heard for an order in the following

terms.

- 12
1. Declaring the provisions of section 3(1), and 4 (a) and (e) of the Sedition and Subversive Activities Act, 1938 inconsistent with Sections 23, 24 and 25 of the Constitution of Swaziland Act 001 of 2005, and therefore invalid.
  2. Costs of suit; and
  3. Further and/ or alternative relief

**TAKE NOTICE FURTHER** that the affidavits of Maxwell Manqoba Thandunkukhanya Dlamini, Mfanawenkhosi Mbhunu Mntsalu and Derrick Dickson Nkambule annexed hereto shall be used in support of this application.

**TAKE FURTHER NOTICE** that the applicants have appointed Leo Gama & associates c/o T.L Dlamini and Associates, Sheffield Road industrial Site Mbabane, as the address at which they will accept notice and service of all documents in this proceedings.

**TAKE NOTICE FURTHER** that if you intend to oppose this application you are required to:


1. Notify the applicants' attorneys in writing within (14) court days from the date of receipt of this application, and in that notice appoint and address at which you will accept notice and service of all documents in these proceedings; and
2. Within Fourteen (14) court days of notifying the applicant attorneys of your intention to oppose this application, deliver your answering affidavit, if any, together with any relevant documents.

**3**

Dated at Manzini on the 10<sup>th</sup> day of JUNE 2014.

*[Signature]*  
.....  
LEO GAMA & ASSOCIATES  
(APPLICANT'S ATTORNEYS)  
C/O T.L DLAMINI & ASSOCIATES  
APEX HOUSE, INDUSTRIAL SITE  
MBABANE

*[Signature]*  
TO: THE REGISTRAR  
OF THE HIGH COURT  
MBABANE



REGISTRAR OF THE HIGH COURT  
12 JUN 2014  
MBABANE  
SWAZILAND

AND TO: THE PRIME MINISTER OF SWAZILAND  
CABINET OFFICES  
OPPOSITE CORRECTIONAL HEADQUATERS  
MBABANE

Received a copy hereof on  
this the.....day of June, 2014  
Sgd.....  
Time.....

4

**AND TO: THE MINISTER OF JUSTICE  
AND CONSTITUTIONAL AFFAIRS  
MINISTRY OF JUSTICE BUILDING  
USUTHU LINK ROAD  
MBABANE**

Received copy hereof on

\_\_\_\_\_

For: Second Respondent

**AND TO: THE DIRECTOR OF PUBLIC PROSECUTIONS  
4<sup>TH</sup> FLOOR, MINISTRY OF JUSTICE BUILDING  
USUTHU LINK ROAD  
MBABANE**

Received copy hereof on

P.O. BOX 1055

12 JUN 2014

MBABANE

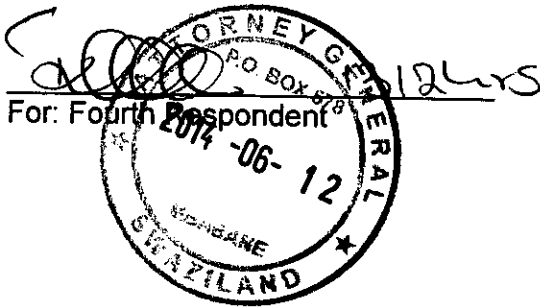
SWAZILAND

For: Third Respondent

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AND TO: THE ATTORNEY GENERAL  
4<sup>TH</sup> FLOOR, MINISTRY OF JUSTICE BUILDING  
USUTHU LINK ROAD  
MBABANE

Received copy hereof on

  
For: Fourth Respondent