

Court halts Makana bid to hire manager

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5 Apr 2017

Attempts by the Makana Municipality to hire an administration head have been hamstrung by another setback, with a court barring it from hiring anyone.



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The Grahamstown High Court granted an interdict, sought by former Makana councillor Paul Notyawa, to halt the appointment of a new municipal manager.

Notyawa is fighting for the job after the council appointed him in 2015. However, Cooperative Governance MEC Fikile Xasa stopped the appointment, saying he did not believe Notyawa had the required experience for the job.

Notyawa turned to the courts to fight the decision and was then suspended by the ANC for defying the party.

But his suspension was lifted after he successfully appealed against the ANC decision.

Notyawa's lawyer, Brin Brody, of Wheeldon Rushmere & Cole, confirmed yesterday, 4 April 2017, that Judge Belinda Hartle had granted the interdict in Notyawa's favour on Friday.

"Mr Notyawa went to court to get an interdict to prevent Makana from appointing a municipal manager until his review is heard.

"The review is to be done because he was not put in the municipal manager position, although the council voted him in 2015.

"Judge Hartle granted the interdict " with costs of the previous hearing " against the Makana Municipality and MEC Fikile Xasa.

"The hearing will probably be in two months' time," Brody said.

Acting Makana municipal manager Mandisi Planga said yesterday the municipality had received the interdict. "This means the recruitment process will not happen now.

"But we have filed an application opposing Mr Notyawa's review," Planga said.

Asked if the cash-strapped Grahamstown had the funds to fight the matter in court, Planga said: "We don't have money.

"Even the bulk of the R19-million of our equitable share we received on Monday was paid to Eskom.

"We paid Eskom R18-million and we are left with R1-million of our equitable share," he said.

The funds would be used to subsidise poor residents who cannot afford to pay for services.

DA caucus leader Mlindi Nhanha said his party had distanced itself from contesting the municipal manager matter in court.

Source: Herald

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