



CONSTITUTIONAL COURT OF SOUTH AFRICA

Case CCT 03/25

In the matter between:

MPHAPHULI CONSULTING (PTY) LIMITED

First Applicant

LUFUNO MPHAPHULI

Second Applicant

and

PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

First Respondent

**DIRECTOR-GENERAL AND SECRETARY OF
CABINET**

Second Respondent

SPEAKER OF THE NATIONAL ASSEMBLY

Third Respondent

SPECIAL INVESTIGATING UNIT

Fourth Respondent

JAN LEKHOA MOTHIBI

Fifth Respondent

KAIZER KGANYAGO

Sixth Respondent

MINISTER IN THE PRESIDENCY

Seventh Respondent

FETAKGOMO TUBATSE MUNICIPALITY

Eighth Respondent

MINISTER OF ELECTRICITY AND ENERGY

Ninth Respondent

**MINISTER OF JUSTICE AND CONSTITUTIONAL
DEVELOPMENT**

Tenth Respondent

MINISTER OF FINANCE

Eleventh Respondent

**MINISTER OF COOPERATIVE GOVERNANCE
AND TRADITIONAL AFFAIRS**

Twelfth Respondent



MINISTER OF PUBLIC WORKS AND INFRASTRUCTURE	Thirteenth Respondent
PREMIER, LIMPOPO	Fourteenth Respondent
MEMBER OF THE EXECUTIVE COUNCIL FOR COOPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS, LIMPOPO	Fifteenth Respondent
MEMBER OF THE EXECUTIVE COUNCIL FOR PROVINCIAL TREASURY, LIMPOPO	Sixteenth Respondent
PUBLIC PROTECTOR OF SOUTH AFRICA	Seventeenth Respondent
AUDITOR-GENERAL OF SOUTH AFRICA	Eighteenth Respondent
NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS	Nineteenth Respondent
ESKOM (SOC) LIMITED	Twentieth Respondent
SOUTH AFRICAN REVENUE SERVICE	Twenty-First Respondent

ORDER

CORAM: Maya CJ, Madlanga ADCJ, Dambuza AJ, Goosen AJ, Kollapen J, Majiedt J, Mhlantla J, Opperman AJ, Rogers J, Theron J and Tshiqi J.

The Constitutional Court has considered the application for direct access. It has concluded that the matter is *res judicata* (it has already been decided) to the extent that the relief sought in the present case was substantially the same as the relief sought in previous applications to this Court. The Court has also concluded that no case has been made out for direct access on the remaining issues. The Court has decided not to award costs.

Order: Direct access is refused.


REGISTRAR OF THE CONSTITUTIONAL COURT OF SOUTH AFRICA
P/Bag X1, Constitution Hill, Braamfontein 2017

DUNISANI MATHIBA
ACTING REGISTRAR
CONSTITUTIONAL COURT
2025 -02- 17
CC-001
REGISTRAR OF THE CONSTITUTIONAL COURT OF SOUTH AFRICA

TO: LUFUNO MPHAPHULI

Second Applicant

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AND TO: OFFICE OF THE STATE ATTORNEY, JOHANNESBURG

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AND TO: DIRECTOR-GENERAL AND SECERARY OF CABINET

Second Respondent

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AND TO: SPEAKER OF THE NATIONAL ASSEMBLY

Third Respondent

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AND TO: LEKHU PILSON ATTORNEYS

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AND TO: PREMIER, LIMPOPO

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**AND TO: MEMBER OF THE EXECUTIVE COUNCIL FOR COOPERATIVE
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AND TO: PUBLIC PROTECTOR

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AND TO: NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS

Nineteenth Respondent

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AND TO: ESKOM (SOC) LIMITED

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AND TO: SOUTH AFRICAN REVENUE SERVICE

Twenty-First Respondent

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