



SPECIAL TRIBUNAL

EST: ACT 74 OF 1996

TO: ALL MEDIA

24 November 2020

INTERIM INTERDICT AGAINST FORMER LEPELLE NORTHERN WATER CHIEF EXECUTIVE OFFICER, MR PHINEAS LEGODI LAPSES

The preservation order interdicting and restraining the release of the pension and retirement benefits due to the former Chief Executive Officer (CEO) of the Lepelle Northern Water in Limpopo, Mr Phineas Legodi, has lapsed, the Special Tribunal was told on Tuesday.

Judge Lebogang Modiba, presiding over the matter on Tuesday at the Special Tribunal, declared that the *rule nisi* has lapsed and ordered the Special Investigating Unit (SIU) to pay the party-to-party costs as well as the costs of the two Counsel representing Mr Legodi.

Counsel for the SIU, Adv Oupa Modisa SC, conceded that the *rule nisi* has lapsed as the summons was not served on Mr Legodi within the prescribed 30 days period.

In the interim order dated 4 September 2020 sought by the SIU on urgent *ex parte* basis, the Special Tribunal interdicted and restrained the Municipal Employees Union Retirement from releasing Mr Legodi's pension benefits pending the outcome of action proceedings to be instituted with the Special Tribunal within 30 days thereof.

However, on Tuesday the SIU could not confirm to Judge Modiba that the summons commencing action proceedings was served within the 30 day period.

Mr Legodi's Counsel, Adv Matlhaka Manala, argued that the Mr Legodi was only served with the summons via e-mail after the prescribed 30 days. Adv Manala agreed with the Special Tribunal that the preservation order with restrictions against Mr Legodi's pension and retirement benefits has since lapsed and that the SIU's failure to institute civil recovery proceedings as directed by the Special Tribunal would likely result in a prejudicial harm to his client.

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