

Shongweni landfill court battle is put on hold

A court bid to muzzle a UK man behind an online campaign to shut the controversial Shongweni landfill site remains in limbo, with argument over whether the Durban High Court has jurisdiction.



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During a brief appearance yesterday, 7 March, attorneys for site owners EnviroServ and online activist Jeremy Everitt agreed to appear again next week to argue "preliminary issues".

The waste management company is attempting to interdict Everitt, who lives in London but owns a property in Shongweni, from "disseminating, dispatching or publishing any malicious, untrue, false or defamatory statements or material regarding [EnviroServ's] business, which it conducts at its Shongweni landfill".

Everitt is understood to have used information posted on Upper Highway Air nonprofit organisation's social media to hundreds of EnviroServ's stakeholders and clients.

A foul odour, the source of complaints in the Upper Highway area west of Durban, emanates from its controversial landfill site.

The company contends it has lost two long-time customers as a result of Everitt's statements.

Since Everitt is not in South Africa, he maintains that EnviroServ's litigation was "fatally defective".

"In my submission, both the main application and the ancillary urgent application are fatally defective for a lack [of] court authority to serve papers upon me outside of South Africa," he said in court papers.

He also insists that the matter is not urgent. Everitt and EnviroServ will be back in court on Thursday next week.

Source: The Times

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