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MZUZU DISTRICT RE
HIGH COURT OF MALAWI
2020-06-1
PAID K2000
P.O. BOX 19



**REPUBLIC OF MALAWI
IN THE HIGH OF MALAWI
(GENERAL DIVISION)**

MZUZU DISTRICT REGISTRY

JUDICIAL REVIEW NO.....16..... OF 2020

(Before Honourable Justice)

BETWEEN

MALAWI LAW SOCIETY.....APPLICANT

AND

**CHIEF SECRETARY TO THE
PRESIDENT AND CABINET..... 1ST DEFENDANT**

**THE PRESIDENT OF
THE REPUBLIC OF MALAWI.....2ND DEFENDANT**

ORDER GRANTING PERMISSION FOR JUDICIAL REVIEW

Penal Notice

Any Person who disobeys this order shall be in contempt of court and may be fined or sent to prison.

Service of documents

The Applicant is being represented by Messrs. Kawelo Lawyers whose address of service is:

Kawelo Lawyers
Plot KT-40, Old Katoto
Mzuzu
Republic of Malawi

Email: wesley@kawelolawyers.com

Discharge or variation of this Order

An application to discharge or vary the terms of this order can be made by at least 48 hours' Notice to the Applicants.

Court Orders

UPON hearing Counsel for the Applicant;

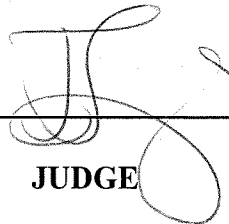
And **UPON** reading the Sworn Statement of **BURTON CHIGONGONDO MHANGO**;

IT is hereby **ORDERED** as follows:

1. Permission to review the decision to forcefully make the Chief Justice of the Republic of Malawi to go on leave pending his statutory retirement and the decision to forcefully make the Honourable Justice of Appeal Edward Twea to go on leave pending his statutory retirement, is hereby granted despite the Order in **Judicial Review case Number 33 of 2020 (Lilongwe District Registry)** because the reliefs sought in the present application are substantially different.
2. This matter should be consolidated with **Judicial Review case Number 33 of 2020 (Lilongwe District Registry)**.
3. Consequently, the following interim reliefs are granted:

- a. An interim order staying the implementation, in any way and form, or the bringing into effect, leave pending retirement of the Honourable Justice Andrew Nyirenda as the Chief Justice of the Republic of Malawi by the Executive Branch of government as per the Public Notice dated 12th June, 2020 and the Letter dated 5th June, 2020 signed by the 1st Defendant;
 - b. An interim order staying the implementation, in any way and form, or the bringing into effect, leave pending retirement of the Honourable Justice Edward Twea as a Justice of Appeal of the Republic of Malawi by the Executive Branch of government as per the Public Notice dated 12th June, 2020 and the Letter dated 10th June, 2020 signed by the 1st Defendant;
4. Costs for this application be in the cause.

Dated this 14th day of June 2020



JUDGE