

**EX PARTE VISSER NO: IN RE KHOZA 2001 (3) SA 524 (T)**

**Headnote : Kopnota**

Where a settlement is reached in the magistrate's court in a matter where a curator ad litem (appointed in terms of s 33 of the Magistrates' Courts Act 32 of 1944) acts on behalf of a minor, and the magistrate has directed that the settlement must be placed before a Judge in Chambers for confirmation thereof and further directions as to the disposal of the award, the Judge is competent, by reason of the fact that the High Court is the upper guardian of minors, to entertain the matter. Procedurally the matter should, in the interests of the minor concerned and in order to keep a proper record, be given a file cover with an original case number. A copy of the order appointing the curator ad litem, the summons instituting the action in the magistrate's court and a copy of the settlement must be filed of record in the cover, together with the Judge's order authorising the settlement, which must be typed and signed by the Registrar. (At 526A/B - B/C and 527H - 528A.)