

IN THE HIGH COURT OF SWAZILAND

HELD AT MBABANE

CASE NO. 4427/05

In the matter between:

LINDIMPI WILSON NTSHANGASE	1 ST APPLICANT
MELLINAH NTSHANGASE (BORN NKWANYANA)	2 ND APPLICANT
JUMAIMA NTSHANGASE	3 RD APPLICANT
LAZARUS JABULANI MASUKU	4 TH APPLICANT

And

HIS ROYAL HIGHNESS PRINCE TFOHLONGWANE N.O. 1ST
RESPONDENT

HIS ROYAL HIGHNESS PRINCE KHUZULWANDLE N.O. 2ND
RESPONDENT

THE HONOURABLE JIM GAMA N.O. 3RD RESPONDENT

CORAM Q.M. MABUZA^J

FOR THE APPLICANTS MR. M. MABILA

FOR THE RESPONDENTS MR. MAGAGULA

MBABANE BURIAL SOCIETY INSPECTION IN LOCO

17/7/2007

[1] On the 17th July 2007 the Court conducted an inspection in loco at Mbabane Burial Society. This was to enable the court to see the remains of the late Muzikayise Ntshangase who has been in the mortuary therein since December 2002.

[2] The deceased was found to be in the cold room of the mortuary on a steel shelf covered with a cloth.

[3] When the cloth covering the deceased was removed it revealed the remains of the deceased dressed in a brown suit. The suit was oversized because it looked too big for the deceased. The mortuary owner Miss Dudu Dlamini explained that the body of the deceased had shrunk considerably and the waist size of the trousers was now double. The face and hands were exposed. The face had turned pitch black with only holes in the eye sockets. The flesh had dried up into the bones and some of it had . There was a white dust like substance on some areas of the face and the mortuary owner explained that this was in an effort to preserve those portions of the face that were disintegrating.

[4] The hands were claw like and the flesh thereon had dried completely and was stuck to the bones.

Q.M. MABUZA J