

REGISTRAR OF THE NORTH GAUTENG
HIGH COURT, PRETORIA
PRIVATE REGISTRATION NO. X67
JUDGE'S SECRETARY

2016 -10- 13

REGTERS KLERK
PRETORIA 0001
GRIFFIER VAN DIE NOORD GAUTENG
HOË HOF, PRETORIA

IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)

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13/10/16


On this the 13th day of October 2016

Before His Lordship Justice Fourie

Casenummer: 80235/2016

In the application of:

TSHWANE UNIVERSITY OF TECHNOLOGY Applicant

and

**PARTICIPANTS IN PROTEST ACTION AT CAMPUSES
OF THE TSHWANE UNIVERSITY OF TECHNOLOGY** First Respondent

**THE EFF STUDENT COMMAND,
TUT RAND BRANCH** Second Respondent

**PAN AFRICAN STUDENT MOVEMENT OF
AZANIA (PASMA)** Third Respondent

RADICAL STUDENT MOVEMENT Fourth Respondent

**DISTRICT COMMANDER, TSHWANE FOR THE
SOUTH AFRICAN POLICE SERVICES** Fifth Respondent

PUBLIC ORDER POLICING UNIT FOR TSHWANE Sixth Respondent

MAGNIFICENT MGWENYA Seventh Respondent

VUSI MAHLANGU Eighth Respondent

OCCUPY4FREESTUDENT Ninth Respondent

TSHEPANG MOKGATLA Tenth Respondent



DRAFT ORDER

HAVING HEARD COUNSEL for the Applicant and having read the papers the following order is issued:

1. An order dispensing with the forms, service and time periods prescribed in terms of the Uniform Rules of Court, and directing that the matter be heard as one of urgency in terms of Rule 6(12) of the Uniform Rules of Court;
2. An order is issued dispensing with the citation requirements in Rule 6(2) in respect of the First Respondent;
3. An order directing the Respondents to show cause, if any, on 8 November 2016 at 10:00 or as soon thereafter as counsel may be heard, why an order in the terms below should not be made final;
4. An order directing the leadership structures of the Second, Third, Fourth and Ninth Respondents, in respect of any protest action at or near any of the campuses of the Tshwane University of Technology, to take all reasonable steps to ensure that no entrance to the premises or property of the Tshwane University of Technology is so barred by participants in protest action, or barricaded that reasonable

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access is denied to students, staff and any person seeking lawful access to such campus;

5. All participants in protest action at or near any campus of the Tshwane University of Technology are restrained from participating in protest action within 150 metres from any entrance to any campus or premises of the Tshwane University of Technology;

6. The South African Police Services and the Public Order Policing Unit are directed to take all reasonable steps in terms of Sec 9 of the Regulation of Gatherings Act, 205 of 1993 to ensure:

6.1 That access to any campus of the Tshwane University of Technology is not impeded by protesters;

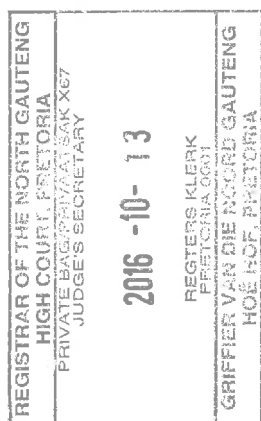
6.2 That the vehicular traffic or pedestrian traffic is least impeded;

6.3 The prevention of injury to persons or damage to property;

6.4 Adherence by participants in protest action to the above prohibition of protest action within 150 metres of an entrance to any campus or premises of the Tshwane University of Technology;

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7. An order interdicting the Respondents from participating in unlawful protest action on any of the campuses of the Tshwane University of Technology;
8. The South African Police Services and the Public Order Policing Unit are authorised to enter upon any premises or campus of the Tshwane University of Technology in order to ensure compliance with this order;
9. Directing the leadership structures of the Second, Third, Fourth and Ninth Respondents to take all reasonable and necessary steps to ensure compliance with this court order by their members and/or followers, by *inter alia*:



- 9.1 Communicating by social media the content of this Court Order;
and
 - 9.2 Requesting their members and followers to conduct themselves lawfully, and to refrain from participating in unlawful protest action in conflict with this Order;
10. The prayers set out in prayers 4 to and including 9 above will have immediate effect pending the return date, i.e 8 November 2016.
 11. The Respondents may anticipate the return date on 72 hours written notice to the applicant's attorneys.

12. Service of this order shall be effected in the following manner:

12.1 Service by the Sheriff on the Respondents by reading out the order by loud hailer at the entrance or entrances to campuses or premises affected by protest action;

12.2 By posting this Court Order on the official website of the Tshwane University of Technology;

12.3 By posting a copy of this Court Order at all entrances to campuses of the Tshwane University of Technology;

13. The costs of the application are reserved for determination on the return date.

**BY ORDER
REGISTRAR**

