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**IN THE HIGH COURT OF SOUTH AFRICA**  
**GAUTENG DIVISION, PRETORIA**

HELD AT PRETORIA ON THIS THE 7<sup>TH</sup> DAY OF SEPTEMBER 2018  
BEFORE THE HONOURABLE JUSTICE TEFFO

CASE NO: **65446/18**

In the matter between:

**THE TSHWANE UNIVERSITY OF TECHNOLOGY** Applicant

and

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

**GIFT MABUZA** Second Respondent

**MTLOLISI MAYESELA** Third Respondent

**STHEMBISO NCUBE** Fourth Respondent

**NDUMISO MUHLANGA** Fifth Respondent

**THABANG BOIMA** Sixth Respondent

**SDUDUZO ZULU** Seventh Respondent

**STHEMBISO NDLOVU** Eighth Respondent

**DUMISANI DLUDLU** Ninth Respondent

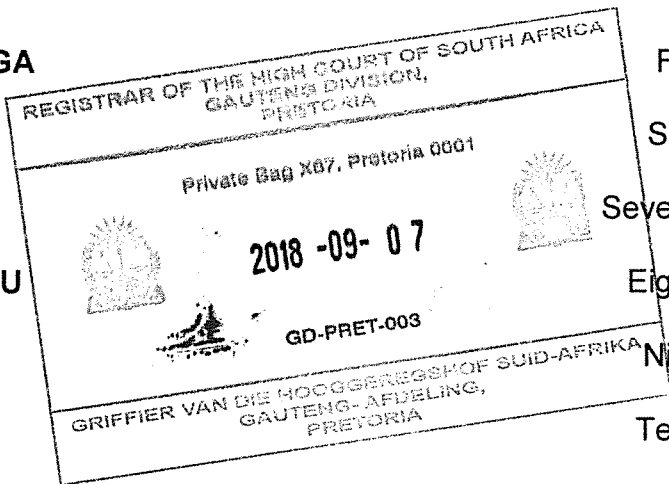
**KAWU MBELE** Tenth Respondent

**THE EFF STUDENT COMMAND, TUT BRANCH** Eleventh Respondent

**THE PAN AFRICAN STUDENT MOVEMENT OF AZANIA  
(PASMA)** Twelfth Respondent

**THE RADICAL STUDENT MOVEMENT** Thirteenth Respondent

**OCCUPY4FREESTUDENT** Fourteenth Respondent



THE DISTRICT COMMANDER, TSHWANE OF THE  
SOUTH AFRICAN POLICE SERVICES

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Fifteenth Respondent

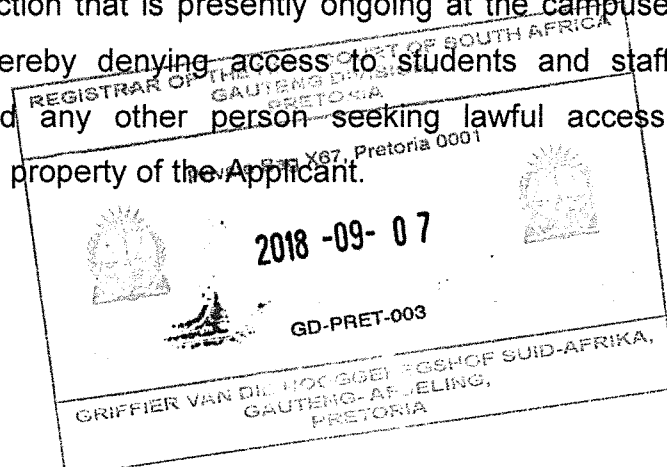
THE PUBLIC ORDER POLICING UNIT FOR TSHWANE

Sixteenth Respondent

**DRAFT ORDER**

**HAVING HEARD COUNSEL** for the Applicant and having read the papers, the following order is made:

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 dispensing with the citation requirement in terms of Rule 6(2) of the Uniform Rules of Court in respect of the First Respondent.
3. The First to Sixteenth Respondents are directed to show cause, if any, on Tuesday, 9 October 2018 at 10:00 or as soon thereafter as counsel for the Applicant may be heard why an order in the terms below should not be made final:
  - 3.1 An order directing that the Eleventh, Twelfth, Thirteenth and Fourteenth Respondents through their leadership structures take all reasonable steps to ensure that no entrance to the premises or property of the Applicant is barred or barricaded by participants in the protest action that is presently ongoing at the campuses of the Applicant, thereby denying access to students and staff of the Applicant and any other person seeking lawful access to the premises and property of the Applicant.



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3.2 An order directing the Eleventh, Twelfth, Thirteenth and Fourteenth Respondents through their leadership structures to take all reasonable steps to ensure that participants in the protest action that is presently ongoing at the premises of the Applicant refrain from any setting alight, damaging and trashing property of the Applicant and the students and staff of the Applicant and visitors to the premises of the Applicant.

3.3 The Fifteenth and Sixteenth Respondents are directed to take all reasonable steps to ensure:

3.3.1 That access to any campus of the Applicant is not impeded or denied by protestors.

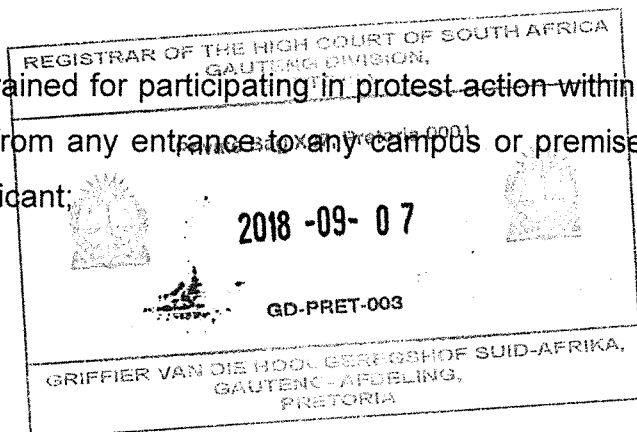
3.3.2 That vehicular and pedestrian traffic within 200 metres from any of the campuses of the Applicant and on the premises of the campuses of the Applicant are not impeded.

3.3.3 That injury to persons or damage to property be prevented.

3.3.4 That participants in protest action at or within 200 metres from the campuses be suppressed.

3.4. An order in terms of which the First to Tenth Respondents and all participants in protest action at or near any campuses of the Applicant:

3.4.1 are restrained for participating in protest action within 200 metres from any entrance to any campus or premises of the Applicant;

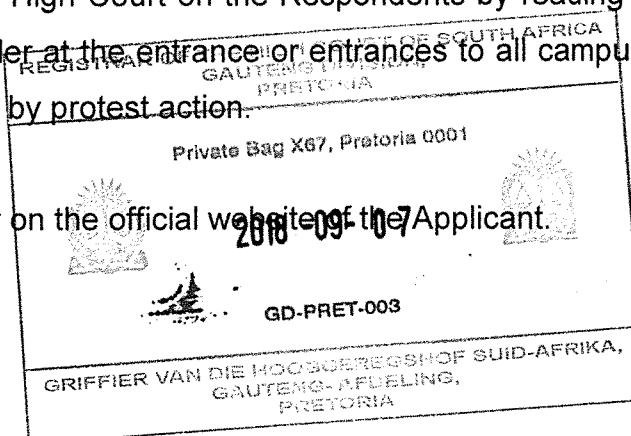


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- 3.4.2 are interdicted from barring or barricading entrances to the premises of the Applicant;
- 3.4.3 are interdicted from setting alight, damaging or trashing property of the Applicant and the students and staff of the Applicant and visitors to the premises.
- 3.5. An order in terms of which the Eleventh, Twelfth, Thirteenth and Fourteenth Respondents are ordered to take all reasonable and necessary steps to ensure compliance with this order of court by members and/or followers of such Respondents by:
  - 3.5.1 Communicating on social media the content of this court order.
  - 3.5.2 Requesting their members and followers to conduct themselves lawfully and to refrain from participating in unlawful protest action in conflict with this order.
- 4. The order set out in prayer 3 above will have immediate effect pending the return date, i.e. 9 October 2018.
- 5. Any and/or all Respondents may anticipate the return date with 72 hours' written notice to the Applicant's attorneys.
- 6. Service of this order shall be effected in the following manner:

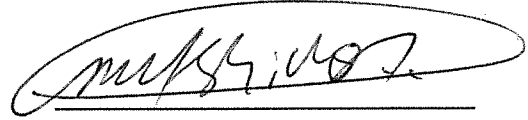
6.1 By the Sheriff of the High Court on the Respondents by reading out the order by loudhailer at the entrance or entrances to all campuses or premises affected by protest action.

6.2 By posting this order on the official website of the Applicant.



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- 6.3 By posting a copy of this order at all entrances to the campuses of the Applicant.
  
  
  
  
  
  
  
  
  
  
- 7. The costs of this application are reserved for determination on the return date.



**BY ORDER OF THE COURT  
REGISTRAR**

