

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

BEFORE THE HONOURABLE MADAM JUSTICE 'MOKOSE J
ON FRIDAY, 5 MARCH 2021 AT 10:00
VIA MS TEAM VIDEO CONFERENCE

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5/3/2021

Case Number: 11203/21

In the Application of:

TSHWANE UNIVERSITY OF TECHNOLOGY

Applicant

And

**THE ECONOMIC FREEDOM FIGHTERS (EFF) STUDENT
COMMAND TUT RAND BRANCH**

1st Respondent

**THE INTERIM LEADERSHIP OF THE ECONOMIC FREEDOM
FIGHTERS (EFF) STUDENT COMMAND TUT RAND BRANCH**

2nd Respondent

**ALL PARTICIPANTS IN THE PROTEST ACTION AT THE
CAMPUSES OF THE APPLICANT**

3rd Respondent

**THE ECONOMIC FREEDOM FIGHTERS (EFF) STUDENT
COMMAND**

4th Respondent

K KGAFELA

5th Respondent

P MABOA

6th Respondent

T MAMBA

7th Respondent

K PHEHLA

8th Respondent

V VAKELE

9th Respondent

T CHWENE

10th Respondent

T BATSIETSENG

11th Respondent

J MOHADI

12th Respondent

PP MKHONTO

13th Respondent

A SIBOZA

14th Respondent

NS BALOYI

15th Respondent

NG MAHLANGU

16th Respondent

NB MAZIBUKO

17th Respondent

R TEFU

18th Respondent

S BUTHELEZI

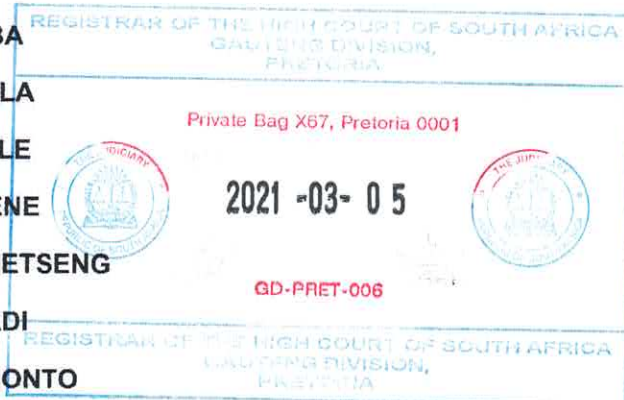
19th Respondent

M SKWAMBANE

20th Respondent

**THE SOUTH AFRICAN STUDENT CONGRESS (SASCO) TUT
BRANCH**

21st Respondent



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Private Bag X67, Pretoria 0001

5th Respondent

P MABOA

2021 -03- 05

6th Respondent

T MAMBA

7th Respondent

K PHEHLA

GD-PRET-006

8th Respondent

V VAKELE

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION,
PRETORIA

9th Respondent

T CHWENE

10th Respondent

T BATSIETSENG

11th Respondent

J MOHADI

12th Respondent

PP MKHONTO

13th Respondent

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17th Respondent

R TEFU

18th Respondent

S BUTHELEZI

19th Respondent

M SKWAMBANE

20th Respondent

**THE SOUTH AFRICAN STUDENT CONGRESS (SASCO) TUT
BRANCH**

21st Respondent

THE INSTITUTIONAL STUDENT REPRESENTATIVE COUNCIL
OF THE APPLICANT

22nd Respondent

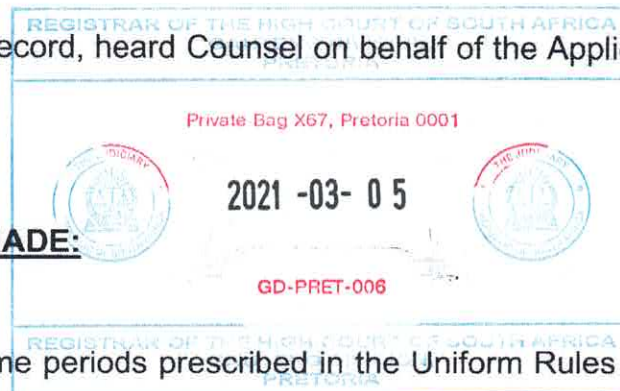
THE SOUTH AFRICAN POLICE SERVICE

23rd Respondent

This Order is made an Order of Court by the Judge whose name is reflected herein, duly stamped by the Registrar of the Court and is submitted electronically to the Parties/their legal representatives by email. This Order is further uploaded to the electronic file of this matter on Case Lines by the Judge or his/her Secretary. The date of this Order is deemed to be the **5th of March 2021**.

ORDER

Having read the papers filed of record, heard Counsel on behalf of the Applicant and considered the matter:



THE FOLLOWING ORDER IS MADE:

1. The forms, service and time periods prescribed in the Uniform Rules of Court are dispensed with, to the extent necessary, and it is directed that the matter be heard as one of Urgent in terms of rule 6(12) of the Uniform Rules of Court.
2. The citation requirements in rule 6(2) of the Uniform Rules of Court are dispensed with in respect of the First, Second and Third Respondents.
3. A *rule nisi* is issued herewith in terms of which the First to Twenty-Second Respondents are called upon to show cause on **25 OCTOBER 2021** why an Order in the following terms should not be made final:
 - 3.1. The First to Twenty-Second Respondents are interdicted from interfering with and committing any act which is prejudicial to the proper functioning, administration, discipline and good order of the Applicant.

- 3.2. The First to Twenty-Second Respondents are interdicted from obstructing entry to or exit from the campuses of the Applicant. (*'the campuses'*)
 - 3.3. The First to Twenty-Second Respondents are interdicted from intimidating, threatening, assaulting and/or harassing members of the public, students, employees, staff members and/or officials of the Applicant on or at the campuses or inciting on social media and on the ground unrest amongst the student bodies of the University.
 - 3.4. The First to Twenty-Second Respondents are interdicted from damaging the property of the Applicant on or at the campuses.
 - 3.5. The First to Twenty-Second Respondents are interdicted from ordering or causing the students, employees, staff members and/or officials of the Applicant to vacate offices or buildings on or at the campuses.
 - 3.6. The First to Twenty-Second Respondents are interdicted from erecting obstacles at the entrance and/or entrances of any the campuses.
 - 3.7. The First to Twenty-Second Respondents are interdicted from participating in any protests, protest meetings, protest marches, inciting violence and unrest at the campuses and/or within a radius of 1 km of the campuses of the Applicant without the necessary written approval by the Vice Chancellor of the Applicant.
4. The Twenty-third Respondent is ordered, *alternatively*, requested to be available to assist the Applicant in the enforcement of the orders set out above.

5. Prayers 3.1 to 3.7 to serve as an interim interdict pending the return date.

6. Costs to be reserved.

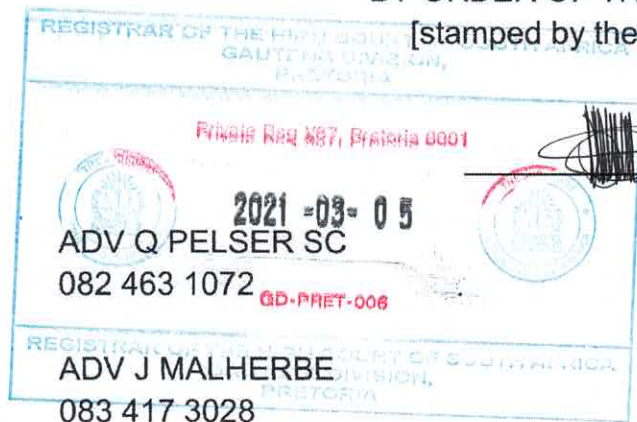
7. This Order shall be served as follows:



- 7.1. Service by the Sheriff on the First to Twenty-second Respondents by reading out the order by loudhailer at all the entrances to the campuses of the Applicant.
- 7.2. Service on the Twenty-Third Respondent at KUDU BUILDING 236 PRETORIUS STREET, PRETORIA and at WACHTHUIS BUILDING, 231 PRETORIUS STREET, PRETORIA.

- 7.3. By sending the Court Order via email to the First and Second Respondent's known email address – effsctutrand@gmail.com.
 - 7.4. By sending the Court Order via email to the Twenty-Second Respondent's known email address – MothibaMM@tut.ac.za; SengoaneTI@tut.ac.za; SekgobelaBT@tut.ac.za.
 - 7.5. By posting this Court Order on the official website of the Tshwane University of Technology and other social media platforms of the Applicant.
 - 7.6. By posting a copy of this Court Order at all entrances to the campuses of the Applicant.
 - 7.7. By transmitting the Court Order on the campus radio station(s) of the Tshwane University of Technology.
8. The Respondents are entitled to anticipate the return date after 24 hours written notice to the Applicant's attorney.

BY ORDER OF THE COURT
[stamped by the Registrar]



FOR THE APPLICANT:

ADV J MALHERBE
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ATTORNEY: MR H RAUBENHEIMER
JJR INC. (REF: H Raubenheimer/MAT23675)
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helgard@jjrinc.co.za