1/09/17

IN THE HIGH COURT OF SOUTH AFRICA

(WESTERN CAPE DIVISION, CAPE TOWN)

CASE NO: 15789/17

Before the Honourable Ms Judge Fortuin

Cape Town: Friday, 1 September 2017

WESTERN CAPE HIGH COURT
FOUR H DIVISION
2017 -09- 01
CAPE TOWN/KAAPSTAD
WES-KAAP HOË HOF

In the matter between:

CAPE PENINSULA UNIVERSITY OF TECHNOLOGY (CPUT) Applicant

and

AYAKHA MAGXOTHWA First Respondent

SIVUYISE NOLUSU Second Respondent

NEO MONGALE Third Respondent

LUKHANYO VANGQA Fourth Respondent

ALL OTHER PERSONS TRESPASSING, UNLAWFULLY CONDUCTING THEMSELVES OR UNLAWFULLY OCCUPYING ANY PORTION/BUILDING OF CPUT CAMPUSES AND/OR RESIDENCES Fifth Respondent

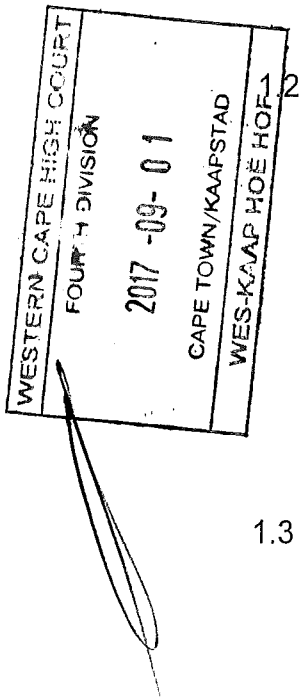
THE MINISTER OF POLICE Sixth Respondent

ORDER

Having heard Counsel for the Applicant and having read the papers filed of record, it is ordered as follows:

1. That a rule *nisi* is issued calling on the Respondents to show cause on **FRIDAY, 15 SEPTEMBER 2017** at **10h00** or so soon thereafter as Counsel many be heard, why the following order should not be made final:

   1.1 Directing the First to Fifth Respondents to forthwith cease and desist from any and all unlawful activities on any CPUT campus and/or residence.



   1.2 Failing the contents of paragraphs 1.1 above, the Sheriffs of the jurisdictions within which the CPUT campuses and residences are situate, assisted insofar as may be necessary by the Sixth Respondent shall be authorised and directed to immediately remove them.

   1.3 Interdicting and restraining the First to Fifth Respondents from:

1.3.1 Disrupting or otherwise interfering in any way with the normal activities of CPUT, including but not limited to:

(a) The management and administration of CPUT on all campuses and at all residences;

(b) All lectures and tutorials on all campuses;

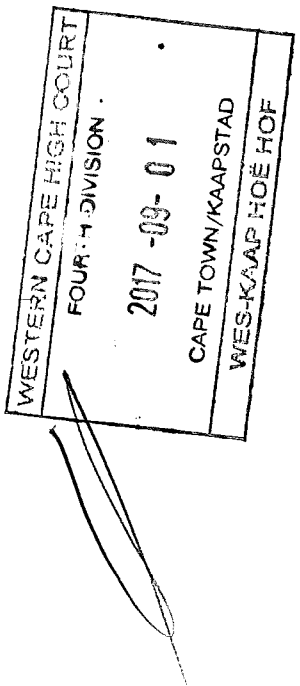
(c) The work of the libraries on all campuses;

(d) The activities at all cafeterias on all campuses;

(e) Tests and examinations on all campuses; and

(f) Graduation ceremonies.

1.3.2 Barricading the entrances to any CPUT campus and/or residence, including buildings within campuses and residences;



1.3.3 Barricading any streets leading to any CPUT campus or residence;

1.3.4 Damaging or vandalising any buildings or property of CPUT on all its campuses and residences;

1.3.5 Damaging any other property, including motor vehicles, present on any CPUT campus or residence;

1.3.6 Intimidating, harassing, threatening or harming:

(a) Any students of CPUT;

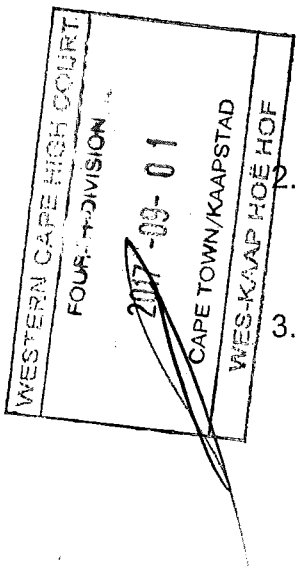
(b) Any employees of CPUT;

(c) Any other persons present on/at CPUT's campuses or residences.

1.3.7 Inciting persons to conduct unlawful activities at any of CPUT's campuses or residences.

1.4 Directing the Sixth Respondent to take all such steps as are necessary or reasonable to give effect to all the provisions of this order.

1.5 Directing the First to Fifth Respondents and any other persons opposing this application or the confirmation of the rule *nisi* to pay the costs of this application, including the costs of the Sheriffs which may be incurred.



2. That paragraphs 1.1 to 1.4.7 shall operate as an interim interdict.

3. That the Respondents are entitled to anticipate the return day on 48 hours' notice.

4. That service of an Order herein on the First to Fourth Respondents shall be by way of their mobile telephone numbers and/or email addresses as set out below:

4.1 The First Respondent

AYAKHA MAGXOTHWA

Mobile number: 0732812528

Email address: 215040759@mycput.ac.za

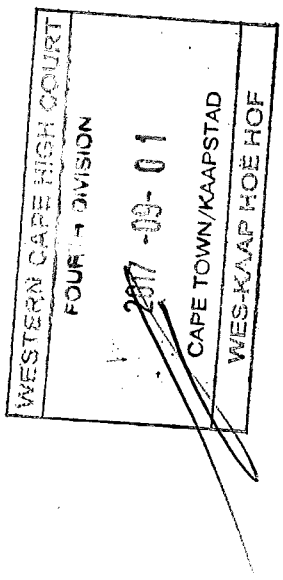
4.2 The Second Respondent

SIVUYISE NOLUSU

Mobile number: 0838817680

Email address: 213298309@mycput.ac.za

4.3 The Third Respondent



NEO MONGALE

Mobile number: 0768610310

Email address: 211162221@mycput.ac.za

4.4 The Fourth Respondent

LUKHANYO VANGQA

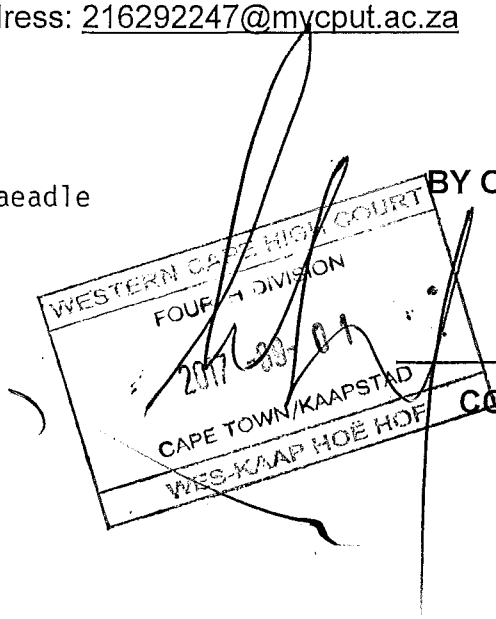
Mobile number: 0714307948

Email address: 216292247@mycput.ac.za

Bradley Conradie Halton Chaeadle
Unit G04, The Gatehouse
Century Way
CENTURY CITY

/avz

BY ORDER OF COURT



COURT REGISTRAR

"NSN 1"

CPUT campuses:

1. Cape Town campuses at cnr Tenant and Keisergracht Road, Zonnebloem, Cape Town and the Faculty of Informatics and Design at Roeland Street, Cape Town;
2. Granger Bay campus at Beach Road, Mouille Point, Granger Bay, Cape Town;
3. Mowbray campus at Highbury Road, Mowbray, Cape Town;
4. Bellville campus at Symphony Way, Belhar, Cape Town;
5. Wellington campus at Jan Van Riebeeck Street, Wellington;
6. Athlone campus, also known as the Western Cape College of Nursing (WCCN), at Klipfontein Road, Heideveld;
7. Boland Overberg campus at Rainier Street, Worcester on the premises of the Boland FET College;
8. George campus at 125 Mitchell Street, George;
9. Boland Satellite Campus at Murray Street, Worcester on the premises of the Worcester Hospital.

CPUT satellite academic sites:

1. Sarleh Dolley at Francie van Zijl Street, Tygerberg Hospital at Francie van Zyl, Tygerberg, Western Cape at which CPUT's dental technician and radiography programmes are run within the Health and Wellness Faculty;
2. Faculty of Health and Radiography Wellness Department at the Groote Schuur campus, Groote Schuur Hospital, Groote Schuur Drive, Cape Town; and
3. Media City Building, within the Department of Architectural Technology, Town and Regional Planning and Interior Design at 1 Heerengracht Street, Cape Town.

EMA

NSN 2

CPUT 2015 Residences Addresses

Residences	Residence Location	Address
Cape Suites	Cape Town	Corner Devilliers& Constitution street
Catsville	Observatory	6 Browning Street
City Edge	Cape Town	Corner Mount&Caledon
Down town lodge	Cape Town	93 Canterberry
EWR	Cape Town	3 Kotze Street
House Bliss	Wellington	College Street
House Meiring	Wellington	College Street
House Murray	Wellington	College Street
House Navarre	Wellington	Church street
J&B House	Cape Town	10 upper Darling
Sandenburg	Cape Town	Corner Tennant & Kaizergracht street
New Sandenburgh	Cape Town	Hanover Street
Southpoint (10&12 Plein St)	Cape Town	10 Plein Street
Southpoint (New Mkt Junction)	Woodstork	10 Dorset Road
Southpoint (President)	Cape Town	12 Plein Street
St Peters	Mowbray	510 Corner Anzio & Falmouth
Viljoenhof	Mowbray	115 Main Road
Wouter Malan	Wellington	College Street
Anglo	Bellville Campus	Symphony Road
De Beers	Bellville Campus	Symphony Road
De Goede Hoop	Bellville	17 Strand Street
Freedom Square	Bellville Campus	Symphony Road
Park Central Residence	Bellville	49 Durban Road
Heroes House	Bellville Campus	Symphony Road
MGR 1	Bellville Campus	Symphony Road
MGR 2	Bellville Campus	Symphony Road
New 200 Bed Bellville residence	Bellville Campus	Symphony Road
Post Graduate	Bellville Campus	Symphony Road
Protea Hoff Tower 4	Tygerber hospital	Fransie Van Wyl
~~River Park~~	~~Kuilsriver~~	~~58 Corner First avenue & Hoop street~~
SACCO	Bellville Campus	Symphony Road
Sheriff's house	Parow	284 Vortrekker Road
WCCN Athlone (Nico Malan)	Gatesville	Klipfontein Road
Minnie Hofmeyer	Worcester	163 Grey street
George Hospital	George	Davidson Road
George Lily Building	George	Van der Stel Square, George
Pioneer School	Worcester	Freesia Block, Akasia Block, Protea Block, 2 Distellery Road
Elrica	Worcester	84 Riebeeck Street
Kruskal House	Bell	
Taplin	Bell	
Hanover St Res	Cape Town	

EMA

NSN