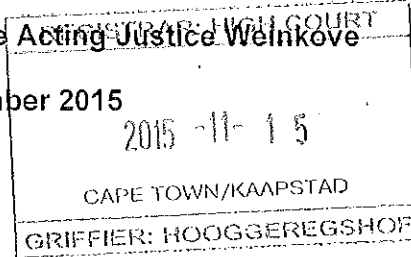


IN THE HIGH COURT OF SOUTH AFRICA  
(WESTERN CAPE DIVISION, CAPE TOWN)

1  
15/12/2015  
CASE NO: 22016/15

Before the Honourable Acting Justice Weinikove

Cape Town, 15 November 2015

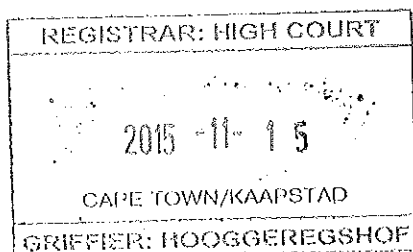


In the matter between:

CAPE PENINSULA UNIVERSITY OF TECHNOLOGY (CPUT) Applicant

and

- |                      |                       |
|----------------------|-----------------------|
| SIPHE MTABELE        | First Respondent      |
| CEDRIC TADONKENG     | Second Respondent     |
| EMIHLE BANETI        | Third Respondent      |
| SIVUYILE NKOMO       | Fourth Respondent     |
| ODWA SANSON          | Fifth Respondent      |
| SIPHENATHI FOJI      | Sixth Respondent      |
| OLWETHU NTOZINI      | Seventh Respondent    |
| UNATHI MSUTU         | Eighth Respondent     |
| DYENA PAUL           | Ninth Respondent      |
| XOLA NGUZO           | Tenth Respondent      |
| LWAZI FIELEN         | Eleventh Respondent   |
| BONGANI NTSJOBODWANA | Twelfth Respondent    |
| KHUTSO VELLY TIMBANI | Thirteenth Respondent |



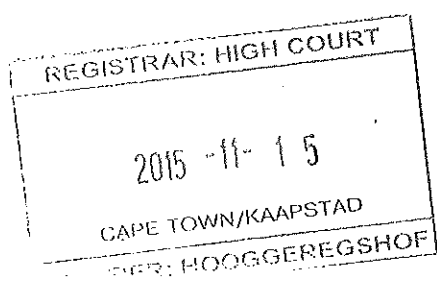
NIKHO JEAN-CLAUDE MLANJENI	Fourteenth Respondent
ORIEL MUNYADZIWA	Fifteenth Respondent
LUVO NOMNA	Sixteenth Respondent
LONWABO KWAYINTO	Seventeenth Respondent
SINOXOLO MPEZI ERIC	Eighteenth Respondent
YONELA NTWAZA	Nineteenth Respondent
IBRAHIM TILITYANI	Twentieth Respondent
KUHLE KUPISO	Twenty-First Respondent
THABANE MAILULA	Twenty-Second Respondent
VUYO PIMANA	Twenty-Third Respondent
ODWA MABASA	Twenty-Fourth Respondent
BUNTU RUBUSANA	Twenty-Fifth Respondent
PATRICK MDZINWA	Twenty-Sixth Respondent
SINETEMBA MADIKAZI	Twenty-Seventh Respondent
VUYANI MOERANE	Twenty-Eighth Respondent
SAPO ALAN MOHILIHILI	Twenty-Ninth Respondent
SISEKO MBIZA	Thirtieth Respondent
THANDO CEKISO	Thirty-First Respondent

ALL OTHER PERSONS TRESPASSING, UNLAWFULLY  
 CONDUCTING THEMSELVES OR UNLAWFULLY  
 OCCUPYING ANY PORTION/BUILDING OF CPUT  
 CAMPUSES AND/OR RESIDENCES AT  
 BELVILLE OR WELLINGTON

Thirty – Second Respondent

THE MINISTER OF POLICE

Thirty-Third Respondent



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ORDER

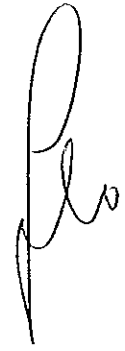
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Having heard Counsel for the Applicant, it is ordered as follows:

1. That a *rule nisi* is issued calling upon the Respondents or any other interested person to appear and show cause if any to the above Honourable Court on **Tuesday, 1 December 2015 at 10h00** or so soon thereafter as the matter may be heard, why an order should not be granted:
  - 2.1 Directing the Respondents to forthwith cease and desist from any and all unlawful activities on any CPUT campus and/or residence;
  - 2.2 Directing the 5<sup>th</sup>, 14<sup>th</sup>, 16<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup>, 24<sup>th</sup>, 26<sup>th</sup>, 27<sup>th</sup> and 31<sup>st</sup> Respondents forthwith to vacate the CPUT Bellville residences situate on or around Symphony Way, Belhar, Western Cape;
  - 2.3 Failing the contents of paragraphs 2.1 and/or 2.2 above, the Sheriffs of the jurisdictions within which the CPUT campuses and residences are situate, assisted insofar as may be necessary by the South African Police Service shall be authorised and directed to immediately remove them and/or arrest them.

2.3.1. The South African Police Service is directed to take all such steps as are necessary or reasonable to give effect to all the provisions of this Order.

REGISTRAR: HIGH COURT
2015-11-15
CAPE TOWN/KAAPSTAD
GRIFFIER: HOOGGEREGSHOF



2.4 Interdicting and restraining the Respondents from:

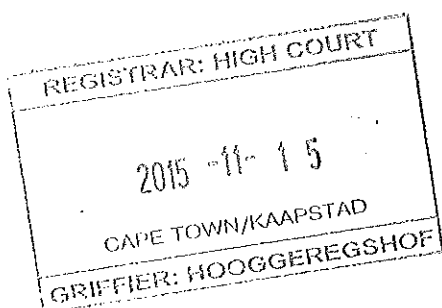
2.4.1 Disrupting or otherwise interfering in any way with the normal activities of, including but not limited to,:

- (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.

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

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

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



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

2.4.6 Intimidating, harassing, threatening or harming:

- (a) Any students of CPUT;
- (b) Any employees of CPUT; or
- (c) Any other persons present on CPUT's campuses or residences.

2.4.7 Inciting persons to conduct unlawful activities at any of CPUT's campuses or residences;

2.5 Directing that the 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 2.1 – 2.4.7 shall operate as an interim interdict.

3. That Respondents are entitled to anticipate the return day on Monday, 16 November 2015; Tuesday, 17 November 2015 or ~~Friday, 20 November~~ <sup>Thursday, 19 November</sup> 2015, alternatively on 48 hours' notice.

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2015 -11- 15
CAPE TOWN/KAAPSTAD
GRIFFIER: HOOGGEREGSHOF



4. That Service of this Order on the Respondents shall be by way of their mobile telephone numbers and/or addresses as set out below:

4.1 The 1st Respondent

**SIPHE MTABELE**

Mgr 2, Room N39, Bellville CPUT Campus

Mobile number 0784033696

4.2 The 2<sup>nd</sup> Respondent

**CEDRIC TADONKENG**

Room L16, De Beers Residence, Bellville CPUT Campus

Mobile number 0781661894

4.3 The 3<sup>rd</sup> Respondent

**EMIHLE BANETI**

Room 203, New Residence, Bellville CPUT Campus

Mobile number 0606288292

4.4 The 4<sup>th</sup> Respondent

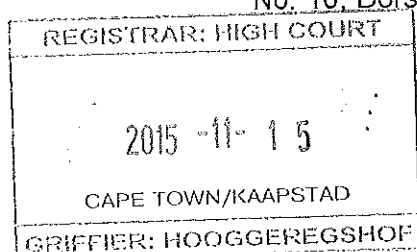
**SIVUYILE NKOMO**

Room 48, Cape Suites Hotel, Constitution Street, Cape Town

4.5 The 5<sup>th</sup> Respondent

**ODWA SANSON**

No. 10, Dorset, Woodstock





Mobile number 0766245823

4.6 The 6<sup>th</sup> Respondent

**SIPHENATHI FOJI**

Room 65, River Park Flats, Kuilsriver

Mobile number 0730385135

4.7 The 7<sup>th</sup> Respondent

**OLWETHU NTOZINI**

Room 205H, New Residence, Bellville CPUT Campus

Mobile number 0788209654

4.8 The 8<sup>th</sup> Respondent

**UNATHI MSUTU**

837, Sacco Residence, Bellville CPUT Campus

Mobile number 0734235607

4.9 The 9<sup>th</sup> Respondent

**DYENA PAUL**

M16, De Beers Residence, Bellville CPUT Campus

Mobile number 0622307070

REGISTRAR: HIGH COURT  
2015 -11- 15  
CAPE TOWN/KAAPSTAD  
GRONDEUR: HOOGGEREGSHOF



4.10 The 10<sup>th</sup> Respondent

**XOLA NGUZO**

S308, Heroes Residence, Bellville CPUT Campus

Mobile number 0603402440

4.11 The 11<sup>th</sup> Respondent

**LWAZI FIELEN**

Room 102, U Block, Freedom Square Residence, Bellville

CPUT Campus

Mobile number 0712041313

4.12 The 12<sup>th</sup> Respondent

**BONGANI NTSJOBODWANA**

Room L17, De Beers Residence, Bellville CPUT Campus

4.13 The 13<sup>th</sup> Respondent

**KHUTSO VELLY TIMBANI**

Room CW017, Heroes Residence, Bellville CPUT Campus

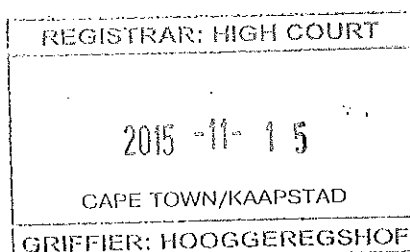
Mobile number 0783195676

4.14 The 14<sup>th</sup> Respondent

**NIKHO JEAN-CLAUDE MLANJENI**

No. 15, Hercules Drive, Phoenix, Milnerton

Mobile number 0839962426







4.15 The 15<sup>th</sup> Respondent

**ORIEL MUNYADZIWA**

Room B304, Freedom Square, 1 Residence, Bellville CPUT  
Campus

4.16 The 16<sup>th</sup> Respondent

**LUVO NOMNA**

18 Ny 135 Gugulethu

Mobile number 0796766146

4.17 The 17<sup>th</sup> Respondent

**LONWABO KWAYINTO**

Room K101, Freedom Square, Bellville CPUT Campus

Mobile number 0736265174.

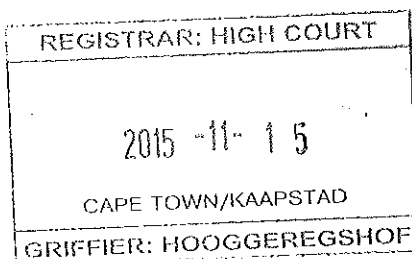
4.18 The 18<sup>th</sup> Respondent **SINOXOLO MPEZI ERIC**

Room 204, Freedom Square 1 Residence, Bellville CPUT  
Campus

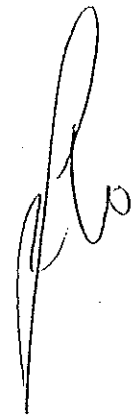
Mobile number 0732309231

4.19 The 19<sup>th</sup> Respondent **YONELA NTWAZA**

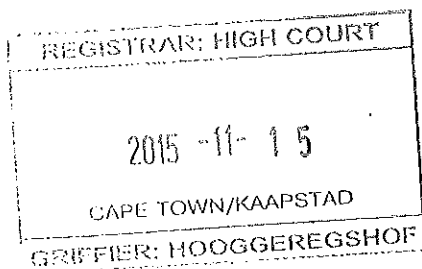
204E, New Residence, Bellville CPUT Campus



Mobile number 0712167432



- 4.20 The 20<sup>th</sup> Third Respondent  
**IBRAHIM TILITYANI**  
49 Durban Road, Denerack Room 111  
Mobile number 0604046550
- 4.21 The 21<sup>st</sup> Respondent **KUHLE KUPISO**  
35996 Mbeko Street, Macassar, Khayelitsha  
Mobile number 0740210711
- 4.22 The 22<sup>nd</sup> Respondent  
**THABANE MAILULA**  
Mgr 2 Residence, Bellville CPUT Campus  
Mobile number 0734295412
- 4.23 The 23<sup>rd</sup> Respondent **VUYO PIMANA**  
E16 Heroes House, CPUT Bellville Campus
- 4.24 The 24<sup>th</sup> Respondent **ODWA MABASA**  
L17743, David Stander Drive, Phillippi  
Mobile number 0713193331
- 4.25 The 25<sup>th</sup> Respondent **BUNTU RUBUSANA**



803, De Beers Residence, Bellville CPUT Campus

Mobile number 0714694949

4.26 The 26<sup>th</sup> Respondent

**PATRICK MDZINWA**

Block 94, Unit 1, Similani

Mobile number 0719262817

4.27 The 27<sup>th</sup> Respondent

**SINETEMBA MADIKAZI**

12 Mswi Street, Litha Park, Khayelitsha

Mobile number 0719554833

4.28 The 28<sup>th</sup> Respondent

**VUYANI MOERANE**

Mobile number 0732431543

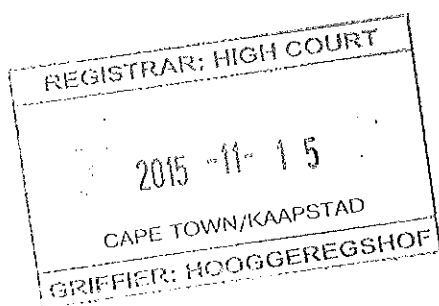
4.29 The 29<sup>th</sup> Respondent

**SAPO ALAN MOHILIHILI**

Mobile number 0739993108

4.30 The 30<sup>th</sup> Respondent

**SISEKO MBIZA**



Room G11, De Beers Residence, Bellville CPUT Campus



4.31 The 31<sup>st</sup> Respondent

**THANDO CEKISO**

12 Strand Street, Bellville

Mobile number 0738107161

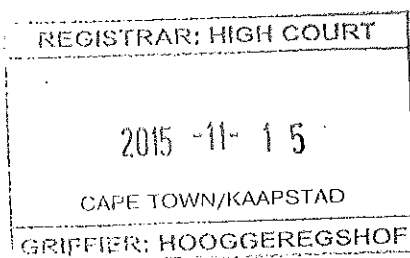
4.32 The 32<sup>nd</sup> Respondent

**ALL OTHER PERSONS TRESPASSING, UNLAWFULLY  
CONDUCTING THEMSELVES OR UNLAWFULLY  
OCCUPYING ANY PORTION/BUILDING OF CPUT  
CAMPUSES AND/OR RESIDENCES AT BELVILLE OR  
WELLINGTON**

4.33 The 33<sup>rd</sup> Respondent

**THE MINISTER OF POLICE**

c/o The State Attorney with offices at 22 Long Street, Cape  
Town



COURT REGISTRAR

