

IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA

11  
10/5/2019  
CASE NO: 28171/2019

BEFORE THE HONOURABLE SENYATSI AJ

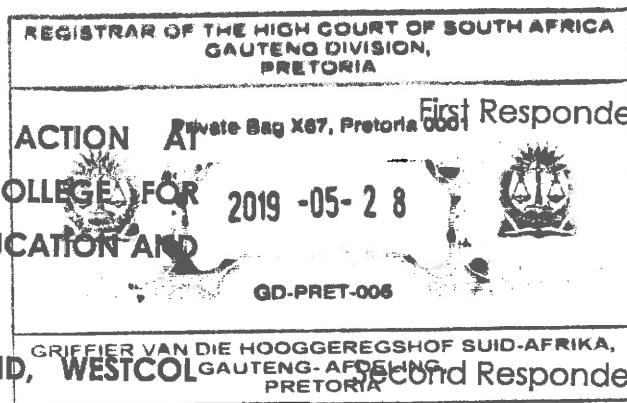
In the matter between:

**WESTERN COLLEGE FOR TECHNICAL  
EDUCATION AND TRAINING (WESTCOL)**

Applicant

and

**PARTICIPANTS IN PROTEST ACTION AT  
CAMPUSES OF WESTERN COLLEGE FOR  
TECHNICAL VOCATIONAL EDUCATION AND  
TRAINING**



First Respondent

**THE EFF STUDENT COMMAND, WESTCOL  
BRANCH**

Second Respondent

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

Third Respondent

**STUDENT REPRESENTATIVE COUNCIL (SRC),  
WESTCOL**

Fourth Respondent

**THOBILE KHOZA**

Fifth Respondent

**ADVENT KUBAYI**

Sixth Respondent

**ZAMOKUHLE HEIZEL MKHABELA**

Seventh Respondent

**RORISANG VINCENT SEDIMO**

Eight Respondent

**BULHE SITHEBE**

Ninth Respondent

**ANTIONETTE SHIKOANE**

Tenth Respondent

<b>REGINALD KETLAODIRELANG DIRONE</b>	Eleventh Respondent
<b>SUPRISE MATHEBULA</b>	Twelfth Respondent
<b>NGWAKO PERCYVAL MALAKA</b>	Thirteenth Respondent
<b>DONALD MOSA MOFOKENG</b>	Fourteenth Respondent
<b>MOHALE VICTOR MOKHABUKHI</b>	Fifteenth Respondent
<b>JULIET LERATO LEGOTE</b>	Sixteenth Respondent
<b>STHEMBISO IBRAHIM KUNENE</b>	Seventeenth Respondent
<b>SABELO BONGUMUSA MCHUNU</b>	Eighteenth Respondent
<b>AKHONA ALFRED MAPASA</b>	Nineteenth Respondent
<b>MUNEIWA MUFHADI</b>	Twentieth Respondent
<b>REGINALD XOLANI MAKE</b>	Twenty-first Respondent
<b>SETHAKGA MONYELA</b>	Twenty-second Respondent
<b>AVHADIVHI NICHOLAS RANGOLO</b>	Twenty-third Respondent
<b>THE MINISTER OF POLICE</b>	Twenty-fourth Respondent
<b>THE NATIONAL STUDENT FINANCIAL AID SCHEME (NSFAS)</b>	Twenty-Fifth Respondent

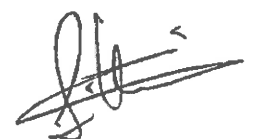
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**~~DRAFT ORDER~~**

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AFTER reading the papers, hearing counsel and considering the matter, the following order is made:

1. The first to twenty-third respondents, including their supporters and/or members <sup>and</sup> and interdicted from directly or indirectly:



- 1.1 Taking part in or instigating disruptive or riotous behaviour that may result in damage to any property of the applicant or the infringement of the rights of any staff member, student and/or visitor to the applicant's campuses or corporate office park;
- 1.2 Blocking entrances to any of the campuses of the applicant and/or its corporate office park;
- 1.3 Obstructing or preventing ingress or egress of students, staff or visitors to the campuses and/or corporate office park of the applicant and from interfering with the access control to any of the entrances to the applicant's campuses and/or corporate office park, interfering with the proper working of the applicant's property or property under the applicant's control;
- 1.4 Disrupting or otherwise interfering in any way with the normal activities of the applicant at any of its campuses and/or corporate office park, including but not limited to:
  - 1.4.1 Examinations and/or tests being written;
  - 1.4.2 Administration of the applicant;

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1.4.3 Lectures and tutorials on all campuses of the applicant.

2. The first to twenty- third respondents and, where applicable, their supporters and/or members and/or followers are interdicted from participating in, calling for, supporting, encouraging or inciting unlawful behaviour, violence, causing damage to property and from intimidating, threatening, harassing or harming:

2.1 Any employees of the applicant;

2.2 Any students of the applicant;

2.3 Or any other person present on the applicant's campuses and/or corporate office park.

3. The first to twenty-third respondents, and where applicable, the members and/or followers are interdicted from interfering in any way with any person's freedom of movement, including taking of hostages, while on the premises of the applicant and its various campuses and/or corporate office park.

4. The first to twenty-third respondents and, where applicable, their supporters and/or members and/or followers are interdicted from carrying firearms, or dangerous weapons defined in the Dangerous

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Weapons Act, 15 of 2013, or sjamboks, knobkieries, golf clubs, hammers assegais, knives or other sharp objects, sticks of any find at, or near the entrance of the campuses and/or the corporate office park of the applicant.

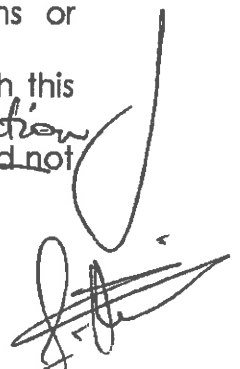
5. The first to twenty-third respondents and, where applicable, their supporters and/or members and/or followers are interdicted from vandalising property or illegally occupying any buildings on the campuses of the applicant or the applicant's corporate office park.

6. The leadership structures of the organisations cited as respondents are instructed to take all reasonable and necessary steps to ensure compliance with this Court Order by its members and/or followers by *inter alia*:

6.1 Communicating by social media the contents of this Court Order; and

6.2 Requesting its members and followers to conduct themselves lawfully, to refrain from intimidation, acts of violence and damage to the applicant and/or other public property.

7. Should the leadership structures of the student organisations or movements cited as respondents fail to ensure compliance with this Order, ~~they are called upon to advance reasons why they should not~~ *the Applicant will bring an application*

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for them

be held in contempt of court.



8. In the event of the first to twenty-third respondents and their members/followers failing to comply with the terms of this order or any part thereof, the twenty-fourth respondent is directed to take any steps or measures necessary to ensure compliance with this order and to maintain law and order at the applicant's campuses and/or corporate office park.
9. In the event of buildings, lecture halls, and/or residences, or parts thereof, being occupied unlawfully, the twenty-fourth respondent is directed to remove unlawful occupiers from unlawfully occupied premises and are directed to remove them from the campus concerned.
10. Paragraphs 1 to 9 of this order shall act as an interim interdict, with immediate effect, pending the return date of 31 October 2019 when all persons who have an interested in this matter will be called upon to set forth reasons why this order should not be made final.
11. Service of this order shall be effected in the following manner:
  - 11.1 By SMS to all students of the applicant (where possible);
  - 11.2 By service by the sheriff on the first to twenty-second



respondents by loudhailer at the entrance, or entrances to campuses affected by student protest action;


11.3 By posting the order on the applicant's website;

11.4 By e-mailing a copy of the court order to the known e-mail addresses of the first to twenty-second respondents;

11.5 By posting a copy of the court order at all entrances to all of the applicant's campuses and corporate office park.

12. That the costs of this application are to be reserved for determination on the return mentioned in paragraph 10 *supra*.

**BY ORDER**



**REGISTRAR**

