BOX NO. 102
IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)
On Monday, 29 May 2023 at Cape Town
Before the Honourable Ms Acting Justice Wathen-Falken

Case No: **7436 / 2023**

In the matter between:

CAPE PENINSULA UNIVERSITY OF TECHNOLOGY (CPUT) Applicant

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
CAPE TOWN
Private Bag X9020, Cape Town 8000
2023 -05- 29
WCD-004
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
WESTERN CAPE DIVISION,
CAPE TOWN

and

CENTRAL STUDENT REPRESENTATIVE COUNCIL OF CPUT First Respondent

LOCAL STUDENT REPRESENTATIVE COUNCILS AT CPUT CAMPUSES Second Respondent

SIBUSISO BUTHELEZI Third Respondent

RAMANO MPFUNZENI Fourth Respondent

ALL STUDENTS OF CPUT CONDUCTING THEMSELVES UNLAWFULLY ON ANY CPUT CAMPUS AND/OR RESIDENCES Fifth Respondent

ALL OTHER PERSONS TRESPASSING, UNLAWFULLY CONDUCTING THEMSELVES OR UNLAWFULLY OCCUPYING ANY PORTION / BUILDING OF ANY CAMPUS AND/OR RESIDENCE OF CPUT Sixth Respondent

SOUTH AFRICAN POLICE SERVICES Seventh Respondent

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
WESTERN CAPE DIVISION,
CAPE TOWN
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2023 -05- 29

19/5/2023

[DRAFT] ORDER

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
WESTERN CAPE DIVISION,
CAPE TOWN

Having read the papers file of record, and having heard counsel for the above named Applicant:

It is ordered that:

1. The rule *nisi* granted on 10 May 2023 is hereby made absolute.

2. The persons comprising the First to Sixth Respondents are interdicted and restrained from conducting themselves in an unlawful manner on the Applicant's campuses and residences, including, but not limited to:

   2.1. Disrupting or otherwise interfering, in any way, with:

      2.1.1. the management and administration of the Applicant;

      2.1.2. lectures and tutorials;

      2.1.3. services provided by libraries on all campuses;

      2.1.4. services provided by, and events at, cafeterias;

2.1.5. tests and examinations; and

2.1.6. graduation ceremonies.

2.2. Barricading entrances to the Applicant's campuses and residences, including any off-campus buildings utilised by the applicant, whether leased or owned by the Applicant;

2.3. Barricading any streets leading to the Applicant's campuses or residences;

2.4. Damaging or vandalising any of the Applicant's immovable properties on all applicant's campuses and residences;

2.5. Damaging any other property, including motor vehicles present on any of the Applicant's campuses or residences;

2.6. Intimidating, harassing, threatening, or harming:

2.6.1. the Applicant's students;

2.6.2. the Applicant's employees; and

2.6.3. any other persons present on the Applicant's campuses or in the Applicant's residences; and

2.7. Inciting persons to conduct unlawful activities at any of the Applicant's campuses or residences.

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3. The interdict granted in terms of paragraph 2 to 2.7 above, shall apply at the following of the Applicant's campuses and/or residences:

3.1. Bellville Campus, Symphony Way (off Modderdam Rd), Belville;

3.2. District Six Campus, Cnr of Hanover St and Tennant Street, Zonnebloem;

3.3. Mowbray Campus at Highbury Road / Main Road, Mowbray, Cape Town;

3.4. Wellington Campus at Jan van Riebeek Street, Wellington;

3.5. Granger Bay Campus at Beach Road, Mouille Point, Granger Bay, Cape Town;

4. That 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 any persons contravening this order.

5. Service of any this order shall be in the following manner:

5.1. By broadcasting on the Applicant's "Newsflash", which must be dispatched to all the Applicant's students and staff;

5.2. By posting the order on the Applicant's website;

5.3. By posting the order at all entrances and notice boards of all the Applicant's campuses and residences.

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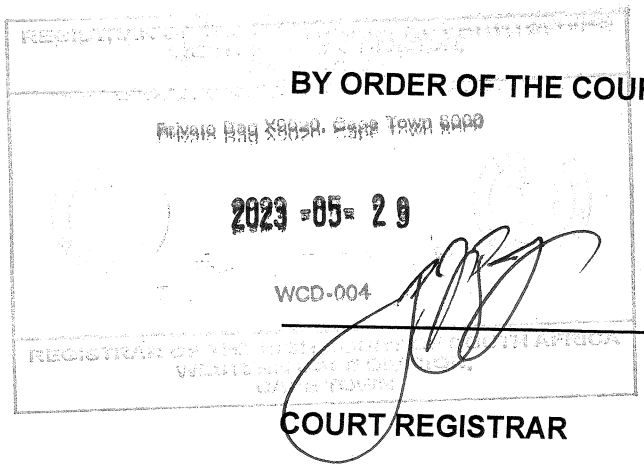
5.4. By emailing the order, and/or on Facebook messaging the order to Respondents insofar as their details are known to the Applicant.

5.5. By service by the Sheriff of the various jurisdictions of the Applicant's campuses and residences by reading it aloud by a loudhailer at each campus and residence.

6. No order is made as to costs.



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