



**IN THE HIGH COURT OF SOUTH AFRICA  
KWAZULU-NATAL LOCAL DIVISION: DURBAN  
CASE NO.: D1411/2019  
BEFORE THE HONOURABLE JUDGE PLOOS VAN AMSTEL  
AT DURBAN ON 21<sup>ST</sup> FEBRUARY 2019**

In the matter between:

DURBAN UNIVERSITY OF  
TECHNOLOGY

APPLICANT

AND

SESIYANDA GODLIMPI

FIRST RESPONDENT

THABO MKHWELANGA

SECOND RESPONDENT

HLENGIWE KHUZWAYO

THIRD RESPONDENT

MUSA MBONAMBI


FOURTH RESPONDENT

PHUMLANI SITHOLE

FIFTH RESPONDENT

LINDA NDLOVU

SIXTH RESPONDENT

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA KWAZULU-NATAL LOCAL DIVISION, DURBAN	
Private Bag X84314, Durban 4000	
	
2019 -02- 2 1	
KZNLD-DBN-008	
GRIFFIER VAN DIE HOOGGEREGSHOF SUID-AFRIKA, KWAZULU-NATAL PLAASLIKE AFDELING, DURBAN	

*[Handwritten signature]*

WANDILE DLADLA

SEVENTH RESPONDENT

WENDY MACHI

EIGHTH RESPONDENT

NTUTHUKO NXUMALO

NINTH RESPONDENT

SIBUSISO ZUMA

TENTH RESPONDENT

NONDUMISO MFUSI

ELEVENTH RESPONDENT

EMIHLE ZIBONELE

TWELFTH RESPONDENT

PHELELISIWE NGCOBO

THIRTEENTH RESPONDENT

ZININGI NGWABI

FOURTEENTH RESPONDENT

LINDANI ZUNGU

FIFTEENTH RESPONDENT

MR T NTULI (STUDENT NO. 201204915)

SIXTEENTH RESPONDENT

STUDENT REPRESENTATIVE  
COUNCIL DUT

SEVENTEENTH RESPONDENT

ECONOMIC FREEDOM FIGHTERS  
STUDENT COMMAND



EIGHTEENTH RESPONDENT

SOUTH AFRICAN STUDENTS  
CONGRESS (SASCO)

NINETEENTH RESPONDENT

NATIONAL STUDENTS' MOVEMENT  
(NASMO)

TWENTIETH RESPONDENT

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA KWAZULU-NATAL LOCAL DIVISION, DURBAN	
Private Bag X64814, Durban 4000	
	
2019 -02- 21	
KZNLD-DBN-008	
GRIFFIER VAN DIE HOOGGEREGSHOF SUID-AFRIKA KWAZULU-NATAL PLAASLIKE AFDELING DURBAN	

REMAINING REGISTERED STUDENTS: TWENTY FIRST RESPONDENT  
DURBAN UNIVERSITY OF  
TECHNOLOGY

SOUTH AFRICAN POLICE SERVICES TWENTY SECOND RESPONDENT

UPON the Motion of Counsel for the Applicant and upon reading the *NOTICE OF MOTION* and the other documents filed of record

IT IS ORDERED [BY CONSENT]



The following order is granted, which is by consent between the applicant and the first to the eighteenth respondents:

1. This application is heard as one of urgency as contemplated by uniform rule 6(12) and the ordinary time periods and forms of service, prescribed in the Uniform Rules are dispensed with.
2. A *rule nisi* do issue calling upon the respondents to show cause, if any, before this court on the 8<sup>th</sup> day of March 2019, at 09h30, or so soon thereafter as counsel may be heard, why an order in the following terms should not be granted:

2.1 The respondents other than the 21<sup>st</sup> and 22<sup>nd</sup> respondents are interdicted and restrained from:

2.1.1 Being physically situated within 150 metres of any of the applicant's premises when marching, gathering, protesting or demonstrating or otherwise grouping together for unlawful purposes, including, in the case of organisations or political parties, convening any march, gathering or protest within 150 metres of any of the applicant's premises, save that this order shall not prevent the seventeenth respondent from duly holding a peaceful meeting for lawful purposes;

2.1.2 Interfering with, threatening, harassing, intimidating or in any way violently interacting with employees, representatives or students of the applicant when marching, gathering, protesting or demonstrating or otherwise grouping for unlawful purposes in the vicinity of the applicant's premises;


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- 2.1.3 Physically damaging, interfering with or in any way violently coming into contact with the applicant's property, equipment or assets at any of its premises;
- 2.1.4 Causing, directing or inciting any other persons to conduct themselves as set out in paragraphs 2.1.1 – 2.1.3 above;
- 2.1.5 Contravening, or causing, directing, inciting or encouraging any person, organization or political party to, in any way, contravene the provisions of the Regulation of Gatherings Act, 1993;

provided that nothing in this order should be construed as prohibiting or preventing the first to twenty first respondents who are registered students of the applicant from peacefully attending and participating in lectures, academic and associated activities of the applicant on or around the premises of the applicant for the duration of the above order.

- 3. The orders in paragraphs 2.1 read with 2.1.1 – 2.1.5 above, shall operate as interim orders with immediate effect, pending the final determination of this matter.
- 4. The 22<sup>nd</sup> respondent is ordered to take all steps reasonably necessary, given its available resources, to give effect to this order.
- 5. All questions of costs are reserved.

BY ORDER OF THE COURT

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T.P. MUSANA  
REGISTRAR

NSG ATTORNEYS  
/lc