

CASE NO.: 2220/2014

IN THE HIGH COURT OF SOUTH AFRICA

DURBAN AND COAST LOCAL DIVISION

BEFORE THE HONOURABLE ACTING MADAM JUSTICE GABRIEL

AT DURBAN ON 25 FEBRUARY 2014

IN THE MATTER BETWEEN

DURBAN UNIVERSITY OF TECHNOLOGY

Applicant

and

AYANDA NGIDI

First Respondent

SBONGIMPILO DUMAKUDE

Second Respondent

AYANDA MALINGA

Third Respondent

MQONDISI DUMA

Fourth Respondent

SENZEKILE MYEZA

Fifth Respondent

NKOSINATHI PHUNGULA

Sixth Respondent

MICHAEL ZULU

Seventh Respondent

THABANI KHANYILE

Eighth Respondent

SANELE DLAMINI

Ninth Respondent

NONKANYISO HLOPHE

Tenth Respondent

DALISU GUMEDE

Eleventh Respondent

NDABENHLE BUTHELEZI

Twelfth Respondent

LINDOKUHLE MAZIBUKO

Thirteenth Respondent

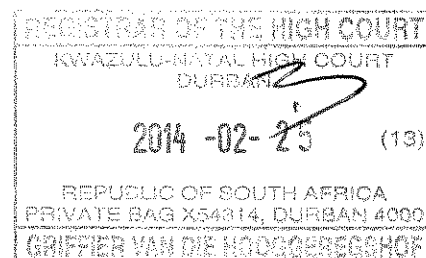
MENZI NGCOBO

Fourteenth Respondent

SIYABONGA MAKHATHINI

Fifteenth Respondent

OTHER STUDENTS OF THE DURBAN



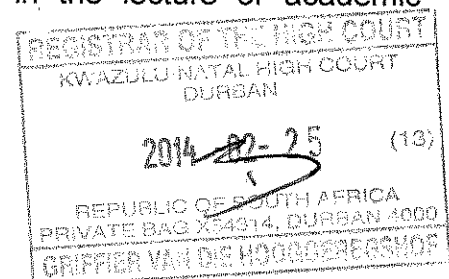
UNIVERSITY OF TECHNOLOGY

Sixteenth Respondent

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

IT IS ORDERED

1. That the Respondents are called upon to show cause to this court sitting at Masonic Grove, Durban at 09:30 or so soon thereafter as Counsel may be heard on the 28th day of March 2014 why an order should not be granted in the following terms:
 - (a) that the Respondents as the members of the Students Representative Council of the Applicant and all students of the Durban University of Technology, and each of them individually, are hereby interdicted and restrained from:-
 - (i) disrupting or calling for the academic program of the Applicant to be disrupted or instigating others to perform acts designed to disrupt the academic program of the Applicant and in particular from performing any act or making any threat or instigating any act or threat by others, designed to disrupt lectures, practical work sessions or tests and examinations at any of the various campuses of the Applicant or from entering any venue, lecture hall, practical session room or test examination venue unless they are students of the course in question and are attending only to participate in the lecture or academic program;



- (ii) assaulting, threatening to assault, intimidating, by way of violent protest action or otherwise instigating others to assault, threaten or intimate students or staff at any of the campuses of the Applicant;
- (iii) damaging property or instigating others to damage property by way of student protests at any of the campuses of the Applicant;
- (iv) demonstrating or gathering at any place closer than 100 metres from the perimeter of any of the Applicant's campuses.
- (b) that in the event of any Respondent/s unsuccessfully opposing this application such Respondent/s be ordered to jointly and severally pay the costs of this application.
2. **THAT** the interdicts in paragraph 1 (a) above are to operate as interim interdicts with immediate effect, pending the final determination of the Application and the confirmation or discharge of the *Rule Nisi* set out in paragraph 1 above.

BY ORDER OF THE COURT

H BRIDGELAL
REGISTRAR



J H NICOLSON STILLER & GESHEN
/lc