

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

*Handwritten signature and date: 30/10/2015*

CASE NO: 21007 / 2015

Friday, 30 October 2015  
Before the Honourable Acting Justice Weinkove

In the matter between:

THE UNIVERSITY OF THE WESTERN CAPE Applicant

and

- LINDOKUHLE MANDYOLI First Respondent
- KHAYALETHU GERALD FESTILE Second Respondent
- MSINGATHI KULA Third Respondent
- MZEKELO MHLAWULI Fourth Respondent
- KHANYA SIYAMAKELE SWANA Fifth Respondent
- KATLEGO MOJAKI Sixth Respondent
- PIWE MPAHLWA Seventh Respondent
- BONANI MFEYA Eighth Respondent
- MANGALISO NOMPULA Ninth Respondent
- MZOLISI KENE Tenth Respondent
- NKOSINATHI NOKHWELA Eleventh Respondent

THOSE PERSONS WHO ASSOCIATE Twelfth Respondent  
THEMSELVES WITH THE CONDUCT OF  
THE FIRST TO ELEVENTH RESPONDENTS

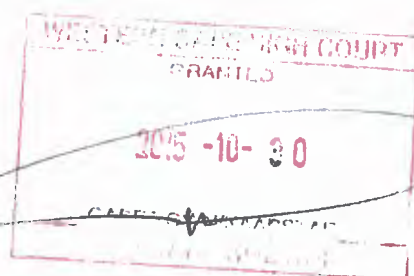
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**DRAFT ORDER**

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**AFTER HEARING COUNSEL FOR THE APPLICANT, IT IS HEREBY ORDERED THAT:**

1. The Applicant's non-compliance with the Rules of the above Honourable Court is condoned, in particular the Rules relating to service and time periods, and that the matter be heard as one of urgency.
  
2. That a *rule nisi* be issued returnable on **16 NOVEMBER 2015** in terms of which the Respondents are called to give reasons, if any, why a final order should not be granted in the following terms:
  - 2.1 Interdicting and restraining the First to Twelfth Respondents, whether acting singularly or in concert with each other, from any of the following activities:
    - 2.1.1 Participating in or calling for unauthorised protest action in contravention of the Regulation of Gatherings Act 205 of 1993 and its Regulations.



2.1.2 Calling for, participating in, or inciting violent protest action on the campus of the University of Western Cape (“UWC”), which includes students or other persons disrupting lectures, disrupting exams, attempting to enter university buildings for the purposes of either of the aforementioned activities, and preventing students or university staff from carrying out their lawful activities;

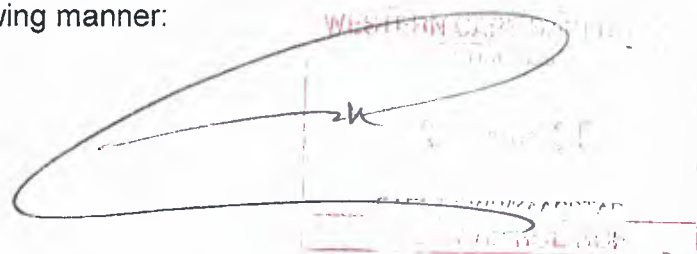
2.1.3 Threatening and/or intimidating and/or assaulting the Applicant’s staff, students and its service providers;

2.1.4 Disrupting lectures, exams and attempting to enter university buildings for the purposes of either of the above activities, and preventing students or university staff from carrying out their lawful activities; and

2.1.5 Damaging University property, or calling upon anyone else to do so.

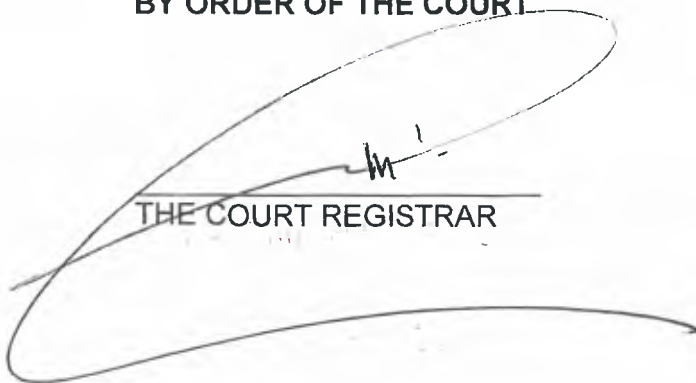
3. That paragraphs 2.1.1 to 2.1.5 above operate as interim interdicts pending the final determination of this application.

4. That a copy of any such order granted, by this Honourable Court, be served in the following manner:



- 4.1 placed on the notice board in the Applicant's student center;
- 4.2 Where possible, emailed to all the relevant Respondents.
5. That the Respondents may anticipate the return day for hearing on a Court day within Court hours, on 72 hours notice.
6. That the Applicant be granted leave to amend it papers, should it be necessary.
7. The South African Police Services are directed to assist in giving effect to this order.
8. Costs to stand over for later determination.

**BY ORDER OF THE COURT**



THE COURT REGISTRAR

11, BEERHOF