



Case no. 576/21

IN THE HIGH COURT OF SOUTH-AFRICA
(NORTHERN CAPE DIVISION)

KIMBERLEY: THE 24TH DAY OF MARCH 2021

BEFORE THE HONOURABLE MS ACTING JUSTICE STANTON

In the matter of:

SOL PLAATJE UNIVERSITY

Applicant

And

**THE STUDENT REPRESENTATIVE COUNCIL
OF SOL PLAATJE UNIVERSITY**

First Respondent

OLEBOGENG MOKWENE

Second Respondent

JEANETTE SIMONS

Third Respondent

OLEBOGENG TSHESEBE

Fourth Respondent

THAMI TEBEKA

Fifth Respondent

ORATILE SENOKWANE

Sixth Respondent

THATO KHOMOJONG

Seventh Respondent

SELVIN CLOETE

Eighth Respondent

KENNEDY NDEBELE

Ninth Respondent

SYLVESTER MOLAWA

Tenth Respondent

RETHABILE MOHAPI

Eleventh Respondent

**THE UNIDENTIFIED PERSONS
PARTICIPATING IN THE UNLAWFUL
CONDUCT OF THE FIRST TO ELEVENTH
RESPONDENTS AT THE SOL PLAATJE
UNIVERSITY**

**Twelfth & Further
Respondents**

**THE PROVINCIAL COMMISSIONER OF THE
SOUTH AFRICAN POLICE SERVICE:
NORTHERN CAPE PROVINCE**

Thirteenth Respondent

HAVING HEARD **ADV VAN TONDER** for the Applicant and having read the documents filed of record;

IT IS ORDERED THAT:

1. The Applicant's failure to adhere to this Court's rules relating to time periods and service is condoned, and the application is heard as an urgent application in terms of the provisions of Rule 6(12)(a) and (b);
2. A rule *nisi* is issued, returnable **FRIDAY, 23 APRIL 2021 AT 09:30**, whereby the Respondents are called upon to show cause, if any, why the following order should not be made final:
 - 2.1 That the First to Twelfth and Further Respondents are ordered to allow unhindered and unfettered access to the Sol Plaatje University Campus of all the Applicant's students and/or the Applicant's employees, agents, independent contractors, building contractors and/or subcontractors.
 - 2.2 That the First to Twelfth and Further Respondents are interdicted and prohibited from locking and/or barricading entrances and exits to all buildings situated on the various Sol Plaatje University Campuses and/or obstructing entry or exit from any such campuses or buildings in any other way.
 - 2.3 That the First to Twelfth and Further Respondents are interdicted and prohibited from threatening, assaulting or intimidating any of the Applicant's students and/or the Applicant's employees, agents, contractors, building contractors and/or subcontractors.



- 2.4 That the First to Twelfth and Further Respondents are interdicted and prohibited from disrupting and/or interfering with the Applicant's Academic Project or any of the Applicant's academic, logistical, and administrative functions, as well as its operations and day to day functions.
- 2.5 That the First to Twelfth and Further Respondents are interdicted and prohibited from disrupting and/or interfering with any of the Applicant's employees, agents, contractors, building contractors and/or subcontractors in the exercise of their duties and functions.
- 2.6 That the First to Twelfth and Further Respondents are interdicted and prohibited from interfering with the free movement of vehicles and pedestrians in and/or barricading and/or closing of the following streets and/or all entrances to the Sol Plaatje University Campus situated in the following streets:
- 2.6.1 Sol Plaatje Boulevard;
 - 2.6.2 Chapel Street;
 - 2.6.3 Hentrich Street;
 - 2.6.4 Bultfontein Road;
 - 2.6.5 Scanlan Road;
 - 2.6.6 Truter Street;
 - 2.6.7 Reservoir Road;
 - 2.6.8 Birbeck Avenue;
 - 2.6.9 Jacobus Smit Street;
 - 2.6.10 Eureka Street;
 - 2.6.11 Bishop Road;
 - 2.6.12 Lawson Road.
- 2.7 That the Thirteenth Respondent is authorised and ordered, in the event of the First to Twelfth and Further Respondents failing to comply with the terms of this order, to take all reasonable steps to give effect to this order.



- 2.8 That the prayers set out in paragraphs 2.1 to 2.7 serve as an interim order with immediate effect.
- 2.9 That only in the event of any of the Respondents opposing the Application, such Respondents be ordered to pay the costs of the Application jointly and severally, the one to pay the other to be absolved.
- 2.10 That the Thirteenth Respondent is authorised and directed to assist the Sheriff of the High Court in order to serve the order on the First to Twelfth and Further Respondents.
- 2.11 That the Sheriff of the High Court is directed to serve a copy of the order of this Honourable Court, on the First to Eleventh and Thirteenth Respondents in terms of the Uniform Rules of Court.
- 2.12 That the Sheriff of the High Court be directed to serve a copy of the order of this Honourable Court, on the Twelfth and Further Respondents by:
- 2.12.1. affixing a copy of the order of this Honourable Court, at prominent place at each of the University's three Campuses, including the Central Campus and Moroka Hall of Residence;
 - 2.12.2. affixing a copy of the order of this Honourable Court, on no less than three prominent places on the Sol Plaatje Municipality Campus;
 - 2.12.3. reading out the contents of the order of this Honourable Court to the Respondents with a loud hailer at the Central Campus;



- 2.13 That, in the event of any of the Respondents failing to comply with the interim order set out in paragraphs 2.1 to 2.7, the Applicant is granted leave to amplify its papers and approach the Honourable Court on these same papers (as amplified) for an order that the said Respondents be committed for contempt of Court;

