



Case no. 1471/23

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

KIMBERLEY: THE 8<sup>TH</sup> DAY OF **AUGUST 2023**

BEFORE THE HONOURABLE MS JUSTICE **MAMOSEBO**  
**IN CHAMBERS**

In the matter between:

<b>SOL PLAATJE UNIVERSITY</b>	Applicant
and	
<b>THE SRC OF THE SOL PLAATJE UNIVERSITY</b>	First Respondent
<b>MAWETHU JERRY YONA</b>	Second Respondent
<b>MASEGO MOTHLABI</b>	Third Respondent
<b>OARABILE MOSWEU</b>	Fourth Respondent
<b>LETHOGONOLO EDWIN THINTHA</b>	Fifth Respondent
<b>QUINTON OLIPHANT NONOFO</b>	Sixth Respondent
<b>TSHIDISO BARRY BABE</b>	Seventh Respondent
<b>ZINTLE PRUDENCE XAKEKA</b>	Eight Respondent
<b>OFENTSE CENTY MODIMAKOANA</b>	Ninth Respondent
<b>GUDANI LISWOGA</b>	Tenth Respondent
<b>SELLO LOUW</b>	Eleventh Respondent
<b>KETSHEPAONE KEGAKILWE</b>	Twelfth Respondent

**MBALI SKOSANA**

Thirteenth Respondent

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

Fourteenth & Further Respondents

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

Fifteenth Respondent

---

HAVING HEARD **ADV OLOVIER** 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* be and is hereby issued, returnable on **1 SEPTEMBER 2023**, 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 Fourteenth 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, staff, building contractors and/or subcontractors.
  - 2.2 That the First to Fourteenth and Further Respondents are interdicted and prohibited from locking and/or barricading entrances and exits to all buildings situated on the Sol Plaatje University Campus and/or obstructing entry or exit from any such buildings.

- 2.3 That the First to Fourteenth and Further Respondents are interdicted and prohibited from threatening, assaulting or intimidating any of the Applicant's students and/or the Applicant's employees, staff, building contractors and/or subcontractors.
- 2.4 That the First to Fourteenth and Further Respondents are interdicted and prohibited from disrupting and/or interfering with 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 Fourteenth and Further Respondents are interdicted and prohibited from disrupting and/or interfering with any of the Applicant's employees, staff, building contractors and/or subcontractors in the exercise of their duties and functions.
- 2.6 That the First to Fourteenth 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 in Kimberley:
- 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 Fifteenth Respondent is authorised and ordered, in the event of the First to Fourteenth 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 The prayers set out in paragraphs 2.1 to 2.7 shall serve as an interim order with immediate effect.

2.9 Only in the event of any of the Respondents opposing the Application, such Respondents is ordered to pay the costs of the Application jointly and severally, the one to pay the other to be absolved.

2.10 The Fifteenth Respondent is authorised and directed to assist the Sheriff of the High Court in order to serve the order on the First to Thirteenth and Further Respondents.

2.11 The Applicant is directed to serve a copy of the order of this Court, on the First to Fourteenth and Further Respondents by way of e-mail.

2.12 The Sheriff of the High Court is directed to serve a copy of the order of this Court, on the Fourteenth and Further Respondents by:

2.12.1. affixing a copy of the order of this Court, at the main entrance to the Sol Plaatje Municipality Campus;

2.12.2. affixing a copy of the order of this 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 Court to the Respondents with a loud hailer at the main entrance to the Sol Plaatje Municipality Campus;

2.13 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 Court on these same papers (as amplified) for an appropriate order.

BY THE COURT  
  
MS. T. MOGONEDIWA  
REGISTRAR

VDW

