

12/9/2020

IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG

In the matter between -

SEDIBENG TVET COLLEGE

Case No.: 23788/2020

2020-09-25

GLD-JHD-008

APPLICANT

AND

ELLIOT LEBOTSA

FIRST RESPONDENT

KGOTSO LEHLOHLONOLO TABOHANE

SECOND RESPONDENT

TEBOGO ANDREW MAVUMA

THIRD RESPONDENT

MOTLATSI NDLOVU

FOURTH RESPONDENT

MANTHATA PHUTI

FIFTH RESPONDENT

LEHLOHONOLO SEANE

SIXTH RESPONDENT

DANISILE PASTOR KHUMALO

SEVENTH RESPONDENT

TOKELO PHATLANE SEBOPELA

EIGHTH RESPONDENT

ALL OTHER PERSONS PARTICIPATING IN

NINTH RESPONDENT

CONDUCT REFERRED TO IN THE APPLICATION

DRAFT ORDER

HAVING READ THE DOCUMENTS FILED OF RECORD, HEARD COUNSEL
AND CONSIDERED THE MATTER, IT IS ORDERED THAT:

- 1 An order dispensing with the forms, notice and time periods as prescribed in terms of the Uniform Rules of Court and directing that the matter be heard as provided for in Rule 6(12) of the Uniform Rules of Court.
- 2 THAT a Rule Nisi is issued calling upon the Respondents to show cause, if any, on 10 November 2020, as to why a final order in the following terms should not be granted:

2.1 That the Respondents are interdicted from committing any act which is prejudicial to the good name, administration, discipline and/or efficiency of the Applicant or acting in a manner which is detrimental to the normal functioning of the Applicant;

2.2 That the Respondents are interdicted from participating in, encouraging, facilitating and/or promoting unlawful activities on the various campuses of the Applicant situate at Sebokeng, Vanderbiljpark, Vereeniging and Heidelberg which activities shall include, but not be limited to:

2.2.1 Interfering with the teaching and learning on the premises of the Applicant situated said campuses;

2.2.2 Interfering with the internal examinations which are to take place at the property of the Applicant;

2.2.3 Interfering with the administration of the Applicant;

2.2.4 Interfering with access to, egress from and the free movement on the Applicant's campuses of all the Applicants' community and all others who have lawful reason to move on to, off and upon said campuses;

2.2.5 Instructing or affecting or causing any student, employee or staff member of the Applicant to vacate their offices and/or any of the campuses of the Applicant;

- 2.2.6 Causing and/or inciting violent activities at the premises of the Applicant;
- 2.2.7 Organising and participating in any protests, protest meetings and marches within a radius of three hundred (300) meters from the campuses of the Applicant;
- 2.2.8 Causing any damage to the Applicant's property;
- 2.2.9 Erecting obstacles at the entrance and/or entrances of the Applicant's campuses to prevent members of the public who seek to lawfully enter the campuses, students of the Applicant and staff members of the Applicant to enter the said campuses;
- 2.2.10 Participating in any conduct which could result in the commencement and/or escalation of violence at any of the Applicant's campuses.
- 2.2.11 Directing any Respondent opposing this application to pay the costs thereof.

3 THAT the Court Order set out in prayers 2.1. – 2.2 shall operate as an interim interdict against the Respondents, pending the return date.

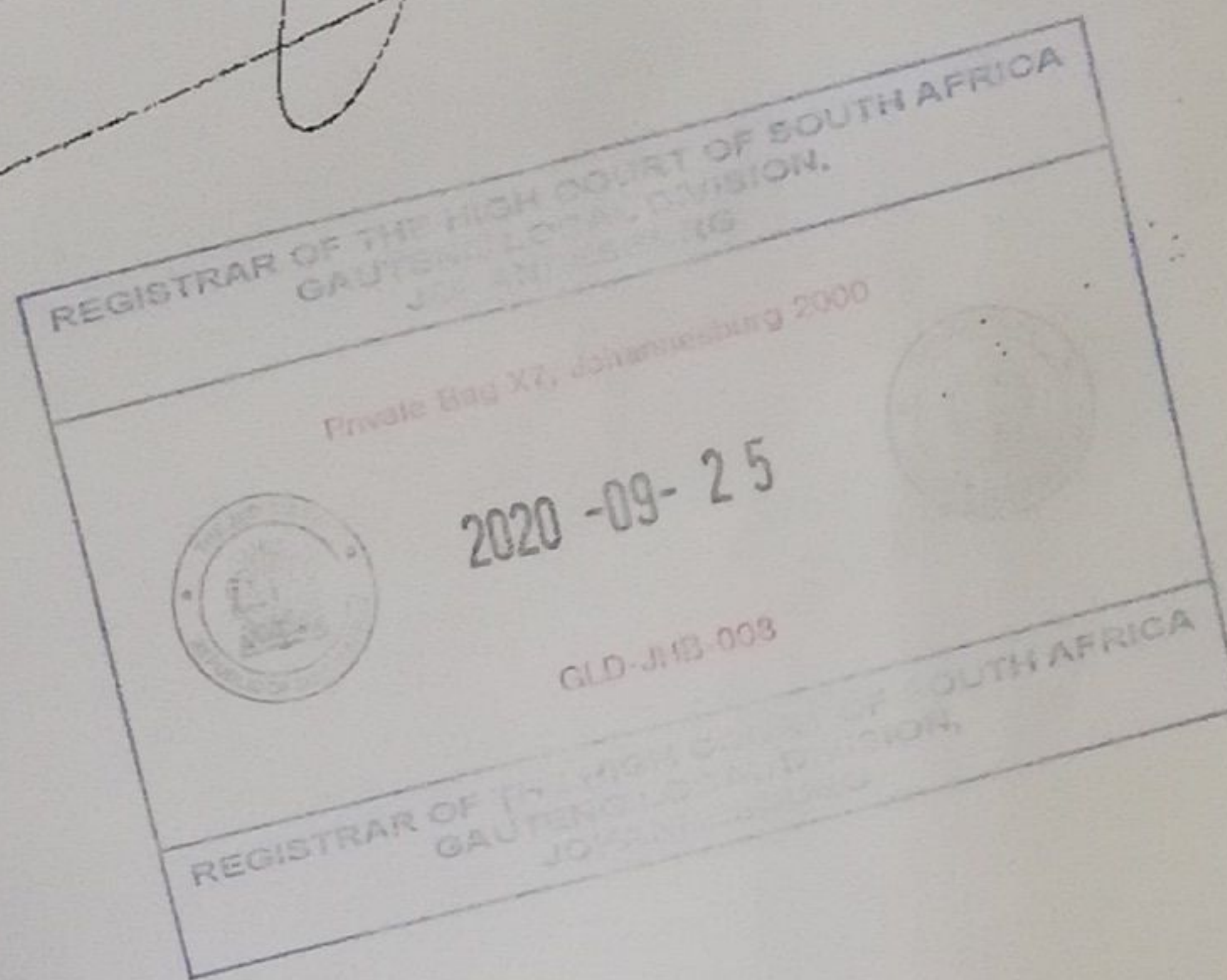
4 THAT the Court Order be served on the Respondents by way of:

- 4.1 Service by the Sheriff on the Respondents by reading out the Court Order by loudhailer at the entrances of the Applicant's campuses at Sebokeng, Vanderbijlpark, Vereeniging and Heidelberg;
 - 4.2 Posting the Court Order on the official website of the Applicant;
 - 4.3 Affixing copies of this application and Court Order to various notice boards at the main entrances of the Applicant's campuses at Sebokeng, Vanderbijlpark, Vereeniging and Heidelberg;
 - 4.4 Emailing a copy of the application and Court Order of Court directly to the First to Eighth Respondents; and
 - 4.5 Transmitting a copy of the application and Court Order to the First to Eighth Respondents by way of the mobile telephone Whatsapp messaging.
- 5 The Respondents are entitled to anticipate the return date after 24 hours written notice to the Applicant's attorney.
 - 6 That the costs of this application are reserved for determination on the return date.

BY COURT

074-6

REGISTRAR



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