



**IN THE HIGH COURT OF SOUTH AFRICA
KWAZULU-NATAL LOCAL DIVISION: DURBAN**

CASE NO.: D1671/2022

BEFORE THE HONOURABLE MR JUSTICE BEDDERSON

AT DURBAN ON 17th FEBRUARY 2022

IN THE MATTER BETWEEN:

DURBAN UNIVERSITY OF TECHNOLOGY

APPLICANT

and

LWANDO MASETHI

1st RESPONDENT

ONWABE MAGADLA

2nd RESPONDENT

SANDILE DLAMINI

3rd RESPONDENT

ZETHEMBE MSIZI

4th RESPONDENT

MDUDUZI CHAMANE

5th RESPONDENT

NOTHANDO NSUSHA

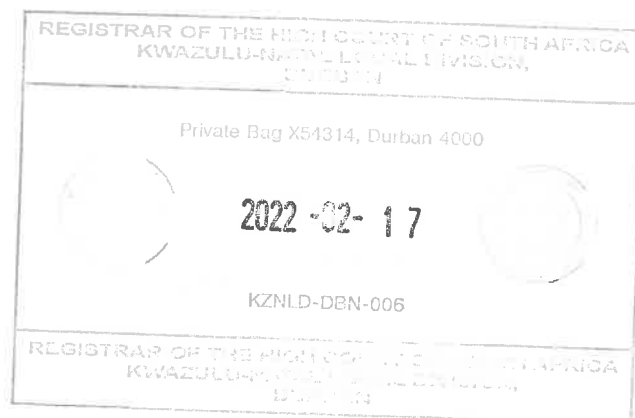
6th RESPONDENT

SNETHEMBA SHOZI

7th RESPONDENT

NHLAKANIPHO KUNENE

8th RESPONDENT

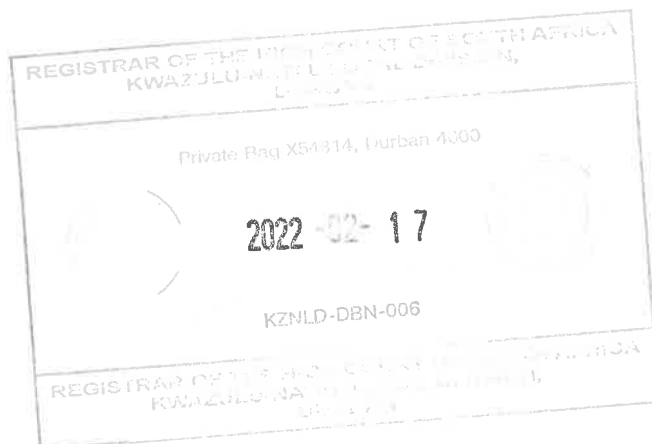


NIKHO SIGA	9 th RESPONDENT
NJABULA DLAMINI	10 th RESPONDENT
KEABETSOE NXUMALO	11 th RESPONDENT
ZANELE MKHIZE	12 th RESPONDENT
NOKUZOLA CELE	13 th RESPONDENT
ZANDILE MKHIZE	14 th RESPONDENT
SIBUSISO GUMEDE	15 th RESPONDENT
NKULULEKO MZOBE	16 th RESPONDENT
SIBONUMENZI MDLALOSE	17 th RESPONDENT
LWAZI NTOMBELA	18 th RESPONDENT
STUDENT REPRESENTATIVE COUNCIL	19 th RESPONDENT
ECONOMIC FREEDOM FIGHTERS STUDENT COMMAND	20 th RESPONDENT
SOUTH AFRICAN POLICE SERVICES	21 st RESPONDENT

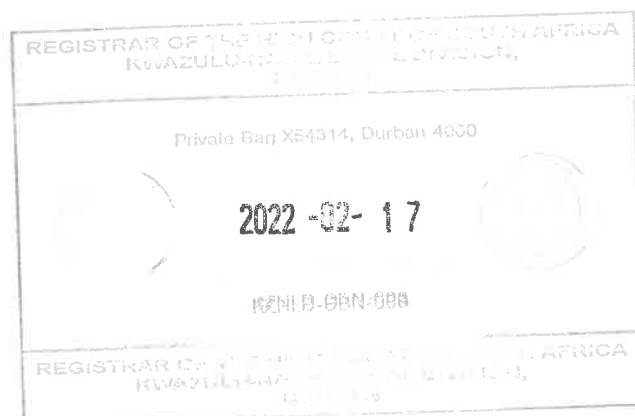
UPON the Motion of Counsel for the Applicant and upon reading the *NOTICE OF MOTION* and the other documents filed of record

IT IS ORDERED

1. A rule nisi do issue calling upon the respondents to show cause, if any, before this Court on 18 March 2022, at 09h30, or so soon thereafter as counsel may be heard, why an order in the following terms should not be granted:
 - 1.1 the respondents, other than the 21st respondent, are interdicted and restrained from –

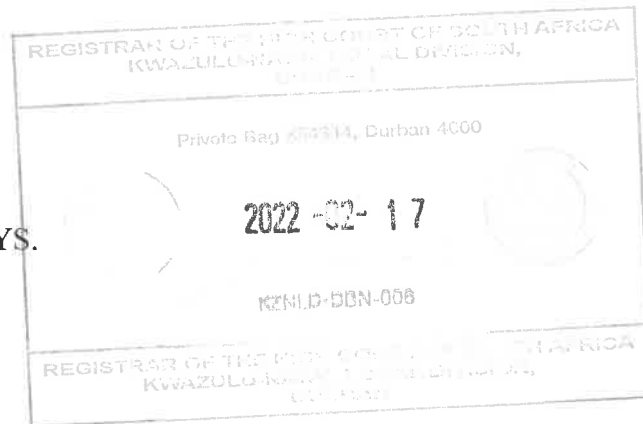


- 1.1.1 being physically situated within 150 metres of any of the applicant's premises when marching, gathering, protesting or demonstrating, or otherwise grouping together for unlawful purposes, including in the case of organisations or political parties, convening any march, gathering or protest within 150 metres of any of the applicant's premises, save that this order shall not prevent a peaceful meeting for lawful purposes with the written permission of the applicant;
- 1.1.2 interfering with, threatening, harassing, intimidating or in any way violently interacting with with, or interfering in any manner with the free movement, bodily integrity and psychological and mental wellbeing, and any other constitutional rights of the employees, representatives or students of the applicant when marching, gathering, protesting or demonstrating, or otherwise grouping for unlawful purposes, at or in the vicinity of the applicant's premises;
- 1.1.3 physically damaging or interfering with or in any way violently coming into contact with the applicant's property, equipment or assets at any of its premises;
- 1.1.4 interfering with access to, egress from and the free movement on the applicant's campus of all members of the applicant's staff and students and all others who have lawful reason to move on to, off and upon the said campus;
- 1.1.5 disrupting, obstructing or in any other manner interfering with the academic processes of the applicant, which shall include but not be limited to lectures, tutorials, practical tests and use of the Applicant's library facilities and laboratories;
- 1.1.6 causing, directing, inciting or permitting any other persons, to conduct themselves as set out in paragraphs 1.1.1 – 1.1.5 above;
- 1.1.7 contravening, or causing, directing, inciting or encouraging any person, organisation or political party to, in any way, contravene the provisions of the Regulation of Gatherings Act,1993;
- 1.2 The respondents other than the 21st respondent are directed to pay the costs of this application on the attorney and client scale only if they oppose the relief sought, jointly and severally, the one paying, the others to be absolved.
- 2 The orders in paragraphs 1.1.1, 1.1.2, 1.1.3, 1.1.4, 1.1.5, 1.1.6 and 1.1.7 above, shall operate as interim orders with immediate effect, pending the final determination of an action to be launched by the applicant against the respondents within one month from the date of a final order being granted in this application.



- 3 The 21st respondent is ordered to take all steps reasonably necessary, given its available resources, to give effect to this Order.
- 4 The respondents shall deliver their answering affidavits, if any, on or before 04 March 2022.
- 5 The applicant shall deliver its replying affidavit, if any, on or before 14 March 2022.
- 6 The costs occasioned by the hearing on 17 February 2022 are reserved for later determination.
- 7 It is recorded that the matter shall not be argued on 18 March 2022 but that date shall be a holding date on which the parties intend jointly to approach the Senior Civil Judge to allocate a date for opposed argument.

BY ORDER OF THE COURT



P.P. 
L N SOKHELA
REGISTRAR

N S G ATTORNEYS.
/mn