

**IN THE HIGH COURT OF SOUTH AFRICA  
FREE STATE DIVISION, BLOEMFONTEIN**

**Case No: 2128/2018**

Before the Honourable Acting Deputy Judge President **LJ LEKALE**

On the 25<sup>th</sup> day of **APRIL 2018**

**In the matter between:**

**GOLDFIELDS TVET COLLEGE**

Applicant

and

**I TU**

**M SWARTS**

**P MAPHIRIMA**

**WA SILEVU**

**P PITSO**

**MJ PHANYANE**

**T MAHLOKO**

**KV RAMOSHABANE**

**TD MOTAUNG**

**T TLHONE**

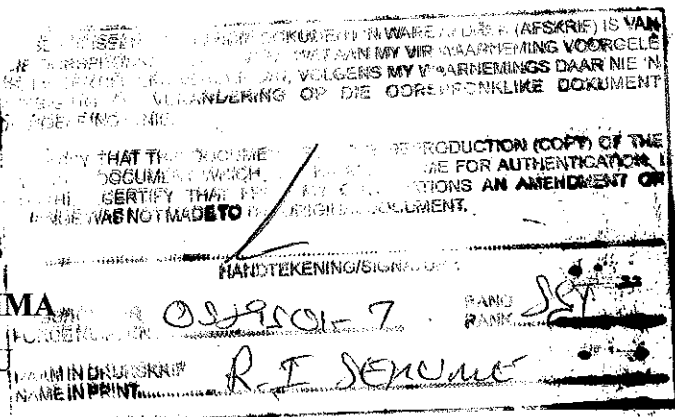
**MMV MAKUHANI**

**D MAKENKENG**

**BT JOEL**

**MJ KHALANE**

**N CHABANE**



- First Respondent
- Second Respondent
- Third Respondent
- Fourth Respondent
- Fifth Respondent
- Sixth Respondent
- Seventh Respondent
- Eighth Respondent
- Ninth Respondent
- Tenth Respondent
- Eleventh Respondent
- Twelfth Respondent
- Thirteenth Respondent
- Fourteenth Respondent
- Fifteenth Respondent



**PARTICIPANTS IN PROTEST ACTION AT  
GOLDFIELDS TVET COLLEGE**

Sixteenth Respondent

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Having considered the notice of motion and the other documents filed of record and having heard Counsel for applicant,

**IT IS ORDERED THAT:**

1. An order dispensing with the forms, service and time periods prescribed in the Uniform Rules of Court, and directing that this application be heard as one of urgency in terms of Rule 6(12) of the Uniform Rules of Court.
2. An order dispensing with the citation requirements in Rule 6(2) in respect of the Fifteenth Respondent.
3. That a rule *nisi* be issued, calling upon the Respondents to appear before the above Honourable Court on Thursday, **24<sup>th</sup> May 2018 at 09:30** to show cause, if any, why the following orders should not be made final:
  - 3.1 All the Respondents and their supporters and/or members are interdicted and restrained from participating in unlawful protest action at the **Tosa- and Welkom Campuses** of the Applicant, **Goldfields TVET College** or at its head office situated in **Buren Street, Flamingo Park, Welkom**.
  - 3.2 The Respondents including their supporters and/or members are restrained and interdicted from directly or indirectly disrupting the operations of the **Goldfields TVET College** by:
    - Interrupting lectures and/or examinations;
    - Unlawfully restricting access and/or exit from any of the Campuses of the **Goldfields TVET College**;
    - Interfering in any administrative, academic and other activities of the **Goldfields TVET College** at any of its Campuses or head office;
    - Disrupting the administration of the **Goldfields TVET College** and its learning programs;
  - 3.3 That the Respondents, including their supporters and/or members are interdicted and restrained from participating in – calling for, supporting, encouraging or inciting unlawful behaviour including, violence, hate speech, causing damage to property; directly or indirectly intimidating, threatening, victimising, harassing, harming or interfering with any member of staff of the **Goldfields TVET College**, student, visitor, contract worker, service provider or any other person present at Campuses of the **Goldfields TVET College**.

- 3.4 All the Respondents, including their supporters and/or members are interdicted and restrained from directly or indirectly:
- Obstructing or preventing the entrance or exit of students, staff or visitors to any of the Campuses of the **Goldfields TVET College**;
  - Infringing traffic rules or obstructing the flow of traffic to or on the premises of the **Goldfields TVET College** or any of its Campuses;
- 3.5 All the Respondents, including their supporters and/or members are interdicted and restrained from carrying firearms, knives, sharp objects, sticks or dangerous weapons as defined in the Dangerous Weapons Act 15 of 2013 at or near the entrance to any of the Campuses of the **Goldfields TVET College**;
- 3.6 All the Respondents and/or their members and/or supporters are restrained from participating in any unlawful protest action outside any Campus of the **Goldfields TVET College**, within 150 metres from the entrances of any of the Campuses of the College.
- 3.7 The First Respondent, in his capacity as chairman of the SRC of the Student body of the **Goldfields TVET College** is directed to take all reasonable steps to ensure that no entrance to the premises of the **Goldfields TVET College** is obstructed by participants in the protest action.
- 3.8 The SAPS and/or public order policing unit are authorised to enter upon the premises of the **Goldfields TVET College** or any of its Campuses in order to ensure compliance with this order.
- 3.9 That those Respondents who unreasonably oppose this application, be ordered to pay the costs hereof.
- 3.10 That such further and/or alternative relief as the Court deems meet, be granted.
- 4 The orders contained in paragraphs 3.1 to 3.8 above, shall operate as an interim interdict with immediate effect.
- 5 Service of this order shall be effected in the following manner:
- 5.1 Service by the Sheriff on the Respondents by reading out the order by loud hailer at the entrance or entrances to the Campuses of the **Goldfields TVET College** or premises affected by the protest action.
  - 5.2 By posting this Court order on the official website of the **Goldfields TVET College**.
  - 5.3 By posting a copy of this Court order at all entrances to the Campuses of the **Goldfields TVET College**.
  - 5.4 By service of this order on First to Fourteenth Respondents at the office of the SRC at both **Tosa** and **Welkom Campuses of Goldfields TVET College**.

6 That such further and/or alternative relief as the above Honourable Court deems meet, be granted.

**BY ORDER OF THIS COURT**



**COURT REGISTRAR**

**NGWANE SIHLONGONYANE INC**