

## University update on ensuing litigation against the University by Advocate Modidima Mannya

In August 2021, the university provided a status update to the university academic, epistemic, professional, student and administrative communities regarding ensuing litigation against the university by the former Head of Legal Services, Adv Modidima Mannya. At that time, three High Court cases involving Mannya were still *sub judice* and all comments on the cases were reserved pending the outcomes of the cases.

Adv Mannya's first urgent application to the High Court was lodged in April 2021 wherein he sought to challenge his suspension at the time. The university filed a comprehensive response to the application and allegations levelled against it, where after Adv Mannya, on the eve of the court hearing date, decided to remove the matter from the roll.

The university later preferred charges of misconduct against him. The charges preferred against him included, amongst others sexual misconduct, bullying, harassment, misogyny, victimisation, intimidation, insolence, misrepresentation and contravention of the conditions of his suspension. The university viewed the charges preferred against Adv Mannya as very serious and considered to terminate his services due to the breakdown of the trust relationship.

On 13 August 2021, the University dismissed Adv Mannya. He challenged his dismissal at the North Gauteng High Court (under case no: 41906/21) and this challenge was dismissed with costs.

The case was heard on an urgent basis on 15 September 2021, where the Court found that the university's conduct was neither unlawful nor unconstitutional and dismissed his application and ordered him to pay the university's costs and the costs of two counsel.

While his application was pending before the Court, and in response to the university internal communication concerning the status of his employment, Adv Mannya further lodged an urgent application (under case no: 45371/21) against the university, seeking an order to interdict the university to remove its internal announcement published on INTCOM, and claimed damages of **Five Million Rand** for what he in essence claimed was defamation of his character.

The university opposed this application and the application was argued on 22 September 2021. The Court found no basis in Mannya's claims and dismissed his case with costs.

It is also important to categorically state that Adv Modidima Mannya is no longer an employee of the university. He was dismissed on 13 August 2021 and therefore any media statement(s) or release(s) by him that he is only suspended from the university and not fired are fallacious and do not represent the interests of the university. As a result of this, any assertions in such statements or media releases that suggest that he remains an employee of the university are not true and are deliberately intended to mislead the public and the media wherein he often contributes newspaper articles/ and or makes public commentary on political/ current affairs.

The university is invoking the necessary processes to recover all costs from Adv Mannya as a result of the unnecessary costs expended and time it could have invested otherwise in academic projects.

