

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.10.2019

CORAM

The Honourable Mr. Justice M.M.SUNDRESH
and
The Honourable Mr. Justice RMT. TEEKAA RAMAN

W.P.No.23171 of 2019

The Academic Society of Architects, (TASA),
A Registered Society, Sl.No.108/2014,
on the file of the Registrar of Central Chennai,
Represented by its President Solomon D.Vedamuthu,
having registered office at No.49/2, Residency Apartment,
K.B.Dasan Road, Teynampet,
Chennai - 600 018. ... Petitioner

.. Vs ..

Council of Architecture (COA),
Represented by its Registrar - Secretary,
Indian Habitat Centre,
Core-6A, First Floor,
Lodhi Road,
New Delhi - 110 003 Respondent

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to issue a fresh communication and to upload it in their website clarifying that the 2017 Regulations have not been approved by the Central Government till date and therefore, only the Regulations of the year 1983 will be followed by the respondent for all purpose as has been requested by the respondent in the representation dated 21.06.2019 in the light of the order dated 04.06.2019 passed in W.P.No.34676 of 2018.

For Petitioner : Mr.S.Satish Kumar

For Respondent : Mr.Naveen R.Nath

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ORDER

[Order of the Court was made by M.M.SUNDRESH,J.]

This writ petition has been filed by the petitioner, who is the Society, registered under the Societies Registration Act.

2. The sum and substance of the grievance of the petitioner in this writ petition is to the effect that notwithstanding the fact that Regulations called Minimum Standards of Architectural Education Regulations, 2017, have not been approved by the Central Government as mandate under Section 45 of the Architects Act, 1972, which is obviously the Parent Act and therefore, the Regulation of the year 1983 alone will have to be followed. Such an issue has already been raised and concluded by a detailed order of this Court in W.P.No.34676 of 2018, dated 04.06.2019. However, notwithstanding the same, the website of the respondent did not indicate the compliance of 2017 Regulation. Therefore, the respondent will have to be directed to do the needful.

3. The learned counsel appearing for the respondent submitted that though as of now, no approval has been obtained, as required under the Parental Act, which factum has not been taken note of by the Division Bench of this Court, the same has not been insisted upon as of now and what has been followed in the earlier Regulation is being followed.

4. Thus, we see that there is no controversy involved in this writ petition. One position of fact is that the respondent cannot indicate in the website that 2017 Regulation is being followed. Accordingly, a direction is issued to the respondent to see that the website indicates the compliance of 2017 Regulation is removed with a clarification that till the approval of the Central Government is obtained, the earlier Regulation of the year 1983 will be followed.

5. Accordingly, the Writ Petition stands disposed of. No costs. We make it clear that this order is passed without prejudice to the contention of the respondent as stated supra. It is open to the respondent to upload the order passed by us in the website.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Jrl/dua

To

The Registrar - Secretary,
Council of Architecture (COA),
Indian Habitat Centre,
Core-6A, First Floor,
Lodhi Road,
New Delhi - 110 003.

+1cc to Mr.Naveen R.Nath, Advocate SR.86020

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SV (CO)
CB(06/12/2019)



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