

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.11.2020

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MRS. JUSTICE R.HEMALATHA

WP.No.15639/2020

D.Hari Krishnan

..Petitioner

Versus

Indian Institute of Technology
[Madras], rep.by its Director
Sardar Vallabai Patel Road
Guindy, Chennai - 36.

...Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent herein to open the Krishna Gate located in South Western Side of the IIT [Madras] Campus, [Velachery side] immediately and make it accessible for the students, staffs, employees, retired persons and other persons residing at locality close to Krishna Gate.

For Petitioner : Mr.S.Kumar

For Respondent : Mr.Karthik Rajan
Standing Counsel

ORDER

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

- (1) By consent, the writ petition is taken up for final disposal and is disposed of by this order.
- (2) Mr.Karthik Rajan, learned Standing counsel accepts notice on behalf of the sole respondent.
- (3) The petitioner claims to be the President of National Anti-Crime and Human Rights Council of India bearing Registration No.190304885/16 Vol.No. 19031000303495/16 and it is also recognised by NITI Aayog, Government of India vide Unique ID No.W8/2016/0109855 and also registered with the Ministry of MSME and Social Justice and Empowerment and Women and Child Development, Government of India.

- (4) The learned counsel for the petitioner has drawn the attention of this Court to the materials placed and would submit that on the South Western side of the Indian Institute of Technology [IIT], Madras, there exist a gate right from the year 1964, popularly known as 'Krishna Gate' and it provides free access to the students, teachers and employees as well as other persons to perform their various duties inside the IIT and it also mainly caters to the needs of the about thousands of students studying in Kendriya Vidyalaya and Vanavani Higher Secondary Schools, which are located right inside the IIT Campus. The learned counsel for the petitioner would further submit that all of a sudden, the Management of IIT, Madras, had closed the Krishna Gate from 24.12.2019 onwards, in exercise of their powers arbitrarily. In this regard, the Hon'ble Member of Parliament [Lok Sabha], Chennai South Constituency also made a visit and thereafter, submitted a representation dated 10.02.2020 to the Hon'ble Minister for Human Resources Development, Government of India, New Delhi and that apart, the Association, viz., the National Anti-Crime and Human Rights Council of India, for which the petitioner claims to be the President, had also submitted a representation to the said Hon'ble Minister as well as to His Excellency the President of India and however, the IIT Administration is turning a deaf ear to the difficulties and sentiments faced by the concerned people and hence, prays for appropriate orders.
- (5) Per contra, Mr. Karthik Rajan, learned Standing counsel appearing for the sole respondent / IIT would submit that before closing the said Gate, the issue has been deliberated upon and much thought process had also gone into and a fair decision has been taken to close the Gate by taking into consideration the security of the Institution and he also points out that none of the representations have been submitted to the Administration of IIT and as and when such a representation is submitted, appropriate response would be given to the concerned persons.
- (6) This Court has carefully considered the rival submissions and also perused the materials placed before it.
- (7) This Court, taking into consideration the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in his representations or in this writ petition, permits the petitioner to submit a detailed representation with supporting documents and photographs, if any, to the respondent, within a period of two weeks from the date of receipt of a copy of this order and upon receipt of the same, the respondent is directed to consider the said representation on merits and in accordance with law and

pass appropriate orders within a further period of four weeks thereafter and communicate the decision taken, to the petitioner.

(8)The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar

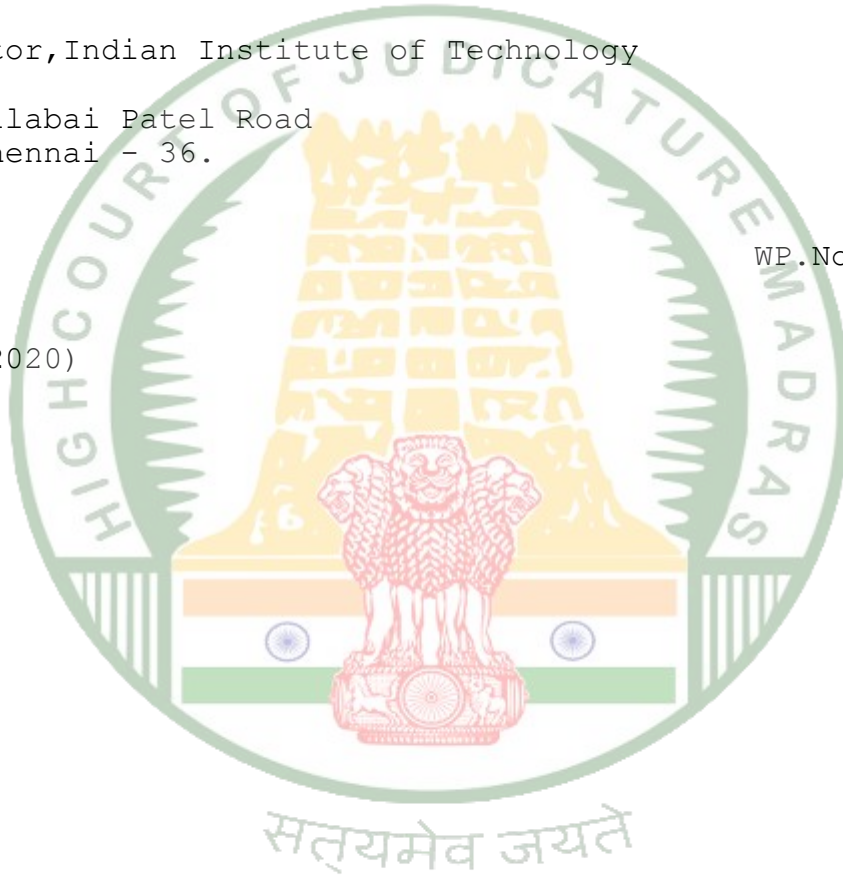
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Sub Assistant Registrar

To
The Director, Indian Institute of Technology
[Madras],
Sardar Vallabai Patel Road
Guindy, Chennai - 36.

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MG(CO)
RV(07/12/2020)



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