



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 22.11.2021

CORAM:

THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.A.NO.2764 OF 2021
AND
C.M.P.NO.18167 OF 2021

The Academic Society of Architects,
rep by its Joint Secretary,
M.Uma Chakkaravarthy,
No.162/2, 2nd Floor, Alwarpet Street,
T.T.K. Road, Alwarpet,
Chennai - 600 018.

...Appellant

Vs.

1.The Union of India,
rep by Joint Secretary,
Ministry of Education,
Department of Higher Education,
Govt. of India, Technical Education Bureau,
Shastri Bhawan, New Delhi - 110 001.

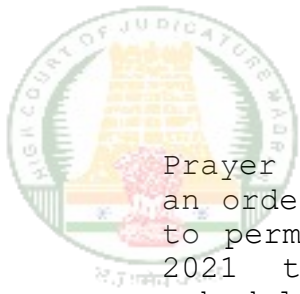
2.The Council of Architecture,
rep by its Registrar,
India Habitat Centre, Core - 6A, 1st Floor.
Lodhi Road, New Delhi - 110 003.

3.Anna University,
rep by its Registrar,
Anna University Campus,
Sardar Patel Road, Guindy,
Chennai - 600 032.

4.The Commissioner,
Tamil Nadu Engineering Admissions,
Anna University Campus,
Sardar Patel Road, Guindy,
Chennai - 600 032.

...Respondents

Appeal filed under Clause 15 of the Letters Patent against
the order made in W.M.P.No.24450 of 2021 in W.P.No.23164 of 2021
dated 27.10.2021.



Prayer in WMP No.24450 of 2021 : Petition filed praying to pass an order of Ad-interim direction directing the respondents 3 & 4 to permit the students who have taken NATA 2021 and JEE (Main) 2021 to participate in the counseling for B.Arch course scheduled to be conducted by the 4th respondent on 26.10.2021 pending disposal of the above writ petition.

Prayer in WP No.23164 of 2021 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus Directing the respondents 2 to 4, to permit the Institutions imparting architectural education to admit eligible students who have participated in NATA 2021 and JEE (Main) 2021 by drawing up a merit list of students under management quota in B.Arch course for the academic year 2021-2022.

For Appellant : Mr.Om Prakash, Senior Counsel
for M/s.R.Harikrishnan

For Respondents : Mr.R.Rabu Manohar, CGSC (R1)

Mr.Naveen R.Nath, Senior Counsel
for M/s.A.Sheikh Peer (R2)

Mr.Govardhanan
for M/s.Row and Reddy (R3)

Mr.S.Arumugam,
Government Advocate (R4)

JUDGMENT

(Judgment was delivered by M.DURAI SWAMY, J.)

Mr.Om Prakash, learned senior counsel appearing for the appellant, after making elaborate submissions, seeks the permission to withdrawn the Writ Appeal. However, the learned senior counsel submitted that liberty may be given to the appellant to make their submission with regard to all the issues raised in the Writ Petitions and the learned Single Judge may be requested to consider the submissions to be made by the learned counsel on either side independently. Further, the learned senior counsel submitted that this Court may clarify that the order passed by the learned Single Judge, which is impugned in the Writ Appeal, shall not stand in the way of deciding the Writ Petitions independently.

2.Mr.Rabu Manohar, learned Central Government Standing Counsel appearing for the 1st respondent, Mr.Naveen R.Nath, learned senior counsel appearing for the 2nd respondent, Mr.Govardhanan, learned counsel appearing for the 3rd respondent and Mr.S.Arumugam, learned Government Advocate appearing for the 4th respondent have no objection for giving such clarification.



3. In view of the submissions made by the learned counsel on either side, the Writ Appeal is dismissed as withdrawn. It is open to the parties to raise all the contentions available to them in the Writ Petitions before the learned Single Judge. We also clarify that the order passed in W.M.P.Nos.24449 & 24450 of 2021 in W.P.Nos.23163 & 23164 of 2021 dated 27.10.2021 shall not stand in the way of the learned Single Judge in the deciding the Writ Petitions independently. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-IV)

// True Copy //

Sub Assistant Registrar

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To

1. The Joint Secretary,
Union of India,
Ministry of Education,
Department of Higher Education,
Govt. of India, Technical Education Bureau,
Shastri Bhawan, New Delhi - 110 001.
2. The Registrar,
Council of Architecture,
India Habitat Centre, Core - 6A, 1st Floor.
Lodhi Road, New Delhi - 110 003.
3. The Registrar,
Anna University,
Anna University Campus,
Sardar Patel Road, Guindy,
Chennai - 600 032.
4. The Commissioner,
Tamil Nadu Engineering Admissions,
Anna University Campus,
Sardar Patel Road, Guindy,
Chennai - 600 032.

+1cc to Mr.R.Harikrishnan, Advocate SR.No.60351
+1cc to Mr.B.Rabu Manohar, Advocate SR.No.60601
+1cc to Mr.A.Sheik Peer, Advocate SR.No.60237
+1cc to M/s.Row & Reddy, Advocate SR.No.60434

W.A.No.2764 of 2021
and C.M.P.No.18167 of 2021

PM(CO)
RVM(07/12/2021)