

ITEM NO.12

COURT NO.3  
(HEARING THROUGH VIDEO CONFERENCING)

SECTION X

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition (Civil) No.833/2021

HARIKRISHNAN R. &amp; ORS.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(FOR ADMISSION; and, IA No.90292/2021 - FOR EXEMPTION FROM FILING  
O.T.)

Date : 06-08-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s) Mr. Renjith B. Barar, Adv.  
 Ms. Lakshmi N. Kaimal, AOR  
 Mr. Biju Vigneswar, Adv.  
 Ms. Surabhi Santosh, Adv.  
 Mr. Arun Poomulli, Adv.  
 Ms. Meera M., Adv.  
 Mr. Anil Sharma, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

The present petition filed under Article 32 of the  
 constitution of India principally prays for following directions:

- "a) Issue a Writ of Mandamus directing respondent nos.5 & 6 University and Controller of Examinations to conduct all examinations in B-Tech Course in all its affiliated colleges, through online mode in light of the COVID-19 pandemic Second Wave.
- b) To issue appropriate writ or orders calling for the records relating to Annexure P2, P3, P5, P8 and P10 and quash the same."

Annexures P2, P3, P5, P8 and P10 referred to in the prayers are Circular dated 26.05.2021, Notification dated 25.06.2021, Time Table dated 02.07.2021, Notification dated 21.07.2021 and Notification dated 26.07.2021 respectively.

All three petitioners are from State of Kerala and they contend that there are numerous students who are from outside the State and that conduct of an offline examination while the State is having the Second Wave of COVID Pandemic, may not be appropriate.

Since the petitioners are from Kerala and some of the identical issues are presently engaging the attention of the High Court of Kerala, we permit the petitioners to withdraw the instant writ petition with further liberty to file an appropriate application before the High Court.

Considering the urgency involved in the matter, we request the High Court to take up such application for disposal as early as possible and preferably within a month from the filing of the application.

With the aforesaid observations, the writ petition is disposed of as withdrawn.

Pending applications, if any, also stand disposed of.

(MUKESH NASA)  
COURT MASTER

(VIRENDER SINGH)  
BRANCH OFFICER