

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE/ORIGINAL JURISDICTION

CIVIL APPEAL NO. OF 2026
(Arising out of SLP(C) No.17220/2025)

THE STATE OF TAMIL NADU & ANR.

APPELLANT(S)

VERSUS

K VENKATACHALAPATHY @ KUTTY & ORS.

RESPONDENT(S)

WITH

TRANSFER PETITION(C) NO.1511 OF 2025

THE STATE OF TAMIL NADU & ANR.

PETITIONER(S)

VERSUS

K VENKATACHALAPATHY @ KUTTY & ORS.

RESPONDENT(S)

O R D E R

C.A NO. OF 2026 @ SLP(C) NO.17220/2025

1. Leave granted.
2. Heard Dr. Abhishek Manu Singhvi and Mr. P. Wilson, learned Senior Counsel, on behalf of the State of Tamil Nadu and their Authorities. We have also heard Mr. Tushar Mehta,

learned Solicitor General of India, on behalf of the University Grants Commission and Mr. Seshadri Naidu, learned Senior Counsel, on behalf of respondent no.4.

3. The instant appeal is directed against the *interim* order dated 21.05.2025 passed by a Division Bench of the High Court of Madras, whereby the High Court stayed the operation of 10 Bills to the extent that they took away the power of appointment of Vice-Chancellor of the Universities from the Chancellor and vested the same in the State Government.

4. Since the main case is admittedly pending before the High Court and the impugned order, though purportedly an interlocutory one, has for all intents and purposes the effect and impact of a final judgment, it is not necessary for us to express any opinion on the merits of the case. All that we wish to observe at this juncture is that the appellant-State and its Authorities ought to have been given some reasonable time for completion of pleadings and arguments before the impugned stay order was passed.

5. In all fairness, Dr. A.M. Singhvi and Mr. P. Wilson, learned Senior Counsel assure that the appellant-State shall not make any appointments from today till the date the issue of *interim* stay or the main case itself are decided by the Division Bench, whichever is earlier.

6. Similarly, Mr. Naidu, learned Senior Counsel, also fairly states that so long as the impugned order is set

aside on technical grounds alone, he has no objection if the matter is remanded to the High Court for fresh consideration.

7. It seems from the record that adequate opportunity of hearing was not accorded to the appellants. On this ground alone, we allow the instant appeal; the impugned judgment-cum-order dated 21.05.2025 is set aside and the matter is remitted to the High Court of Madras for fresh hearing. We request the Hon'ble Chief Justice of the High Court of Madras to list W.P No.18374/2025 and WMP No.20576/2025 preferably before the Bench presided over by him, or before any other Bench, as he may deem appropriate; grant reasonable time to the appellant-State and its Authorities to file their counter-affidavit and thereafter hear the parties on *interim* relief or may hear and decide the main writ petition itself.

8. We request the High Court to take up the main case and make an endeavour to decide the same on merits as early as possible, and preferably within six weeks.

9. As a necessary corollary of our directions, any observations, remarks or directions contained in the impugned judgment-cum-order are deemed to have been annulled.

10. Needless to say, since we have set aside the impugned judgment-cum-order primarily on a technical ground, our

order shall have no bearing on the merits of the main case.

Transfer Petition(C) No.1511/2025

11. In view of the order passed in the main case, the Transfer Petition has become infructuous. The same is, accordingly, dismissed as having become infructuous.

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(VIPUL M. PANCHOLI)

NEW DELHI;
FEBRUARY 04, 2026

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

Transfer Petition(s)(Civil) No(s).1511/2025

THE STATE OF TAMIL NADU & ANR.

Petitioner(s)

VERSUS

K VENKATACHALAPATHY @ KUTTY & ORS.

Respondent(s)

(IA No. 131302/2025 - EX-PARTE STAY, IA No. 149211/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(C) No. 17220/2025 (XII)

(IA No. 150314/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 150737/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 04-02-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) :Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Mukul Rohatgi, Sr. Adv.
Mr. P Wilson, Sr. Adv.
Ms. Misha Rohatgi, AOR
Mr. Nakul Mohta, Adv.
Mr. Apoorv Malhotra, Adv.
Mr. Ayush Kashyap, Adv.
Mr. Amulya Upadhyay, Adv.
Mr. Sachin S, Adv.
Mr. Uday Bhatia, Adv.
Mr. Saran Raghunandhan S, Adv.
Mr. Lokesh Krishna, Adv.
Mr. Saran Ragunandhan S, Adv.
Mr. B Aravind, Adv.
Mr. Raktim Gogoi, Adv.
Mr. Kartikeya Singh, Adv.
Mr. Shivam Sharma, Adv.
Mr. Aditya Ojha, Adv.
Mr. Aravind A, Adv.
Mr. M Thangathurai, Adv.
Mr. Goutham Bhaskar, Adv.

For Respondent(s) :Mr. D.S. Naidu, Sr. Adv.
Mr. Ravi Prakash, Sr. Adv.
Mr. Taha Yashin, Adv.

Mr. Yasharth Shula, Adv.

Mr. K.M. Nataraj, A.S.G.

Ms. Sansriti Pathak, Adv.

Mr. Bhuvan Kapoor, Adv.

Mr. Gaurang Bhushan, Adv.

Ms. Astha Singh, Adv.

Mr. Arvind Kumar Sharma, AOR

Mr. Raj Bahadur Yadav-aor, Adv.

Mr. Samir Malik, AOR

Mr. Tushar Mehta, Solicitor General

Mr. Manoj Ranjan Sinha, Adv.

Mr. Mrigank Prabhakar, AOR

Mr. Vishal Agarwal, Adv.

Ms. Astha Singh, Adv.

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

SLP(C) NO.17220/2025

1. Leave granted.
2. The appeal is allowed in terms of the signed order.
3. All pending applications, if any, also stand disposed of.

Transfer Petition(C) No.1511/2025

4. The Transfer Petition is dismissed in terms of the signed order.
5. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)

ASTT. REGISTRAR-cum-PS

(signed order is placed on the file)

(PREETHI T.C.)

ASSISTANT REGISTRAR