

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2020

CORAM :

The Hon'ble Mr.AMRESHWAR PRATAP SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.A.Nos.565 and 566 of 2020
and CMP Nos.8085 and 8086 of 2020

THE ANNA UNIVERSITY
REP. BY ITS REGISTRAR ANNA UNIVERSITY
CAMPUS GUINDY CHENNAI-600025

Appellant in both the appeals

Vs

SENGUNTHAR CHARITABLE TRUST
REP. BY ITS SECRETARY AND CORRESPONDENT
1/311-1 SENGUNTHAR NAGAR KOVSAVAMPALAYAM
TIRUCHENGODE-637205 NAMAKKAL DISTRICT

1st respondent in W.A.No.565 of 2020

COIMBATORE INSTITUTE OF ENGINEERING AND TECHNOLOGY REP.BY ITS
PRINCIPAL
NARASIPURAM (PO) THONDAMUTHUR (VIA)
ELLIMALAIPATTINAM COIMBATORE-641109

1st respondent in W.A.No.566 of 2020

2 THE UNIVERSITY GRANT COMMISSION
BY ITS CHAIRMAN,BAHADUR SHAH ZAFAR MARG
NEW DELHI-110002

2nd respondent in both the appeals

Appeals filed under under Clause 15 of the Letters Patent
against the order dated 16.03.2020 in WP Nos.1603/2020 and 1834
of 2020 on the file of this Court.

PRAYER in WP No.1603 of 2020: Writ petition has been filed
under Article 226 of the Constitution of India, to issue a Writ
of Certiorari to call for the records of the first respondent
comprised in the resolution passed at the 256th Syndicate meeting
of the first respondent University held on 20.11.2019 as
communicated in Letter No.167/AU/CAC/Autonomous/2020 dated
13.01.2020 issued by the first respondent and quash the same as
being arbitrary, illegal, wholly without jurisdiction and

violative of the University Grants Commission (Conferment of Autonomous Status upon Colleges and Measures for Maintenance of Standards in Autonomous Colleges) Regulations, 2018, which is binding on the first respondent.

PRAYER in WP No.1834 of 2020 : Writ petition has been filed under Article 226 of the Constitution of India, to issue a Writ of certiorarified Mandamus to call for the records of the 1st respondent in Letter No.166/AU/CAC/Autonomous/2020 dated 13.01.2020 and the order in Letter No.047/CAI/AU/2020 dated 20.01.2020 and quash the same and consequently direct the 1st Respondent University to continue the Coimbatore Institute of Engineering and Technology, Narasipuram (P.O), Thondamuthur (via), Vellimalaipattinam, Coimbatore - 641 109 as Autonomous Institution in the light of the order of this Court in WP No.29486 of 2019 dated 26.11.2019.

For Petitioner : Mr.M. Vijayakumar

For R.1 : Mr.Kandhan Duraisami

COMMON JUDGMENT

(Judgment of the Court was delivered by The Hon'ble Chief Justice)

At the outset learned counsel for the appellant states that he may be permitted to withdraw the writ appeals.

2. Learned counsel for the first respondent has pointed out that the impugned judgment of the learned Single Judge rests on the view taken by the Division Bench of this Court in the judgment dated 14.02.2020 in W.A.No.51 of 2020 (Anna University vs Mahendra Institute of Technology and another) reported in 2020 1 WLR 478. The Anna University had filed Special Leave Petitions in SLP Nos.8324 and 8325 of 2020 against the said judgment of the Division Bench of this Court dated 14.02.2020, which has been dismissed by the Apex Court on 24.07.2020 by the following Order:-

"Supreme Court of India
Record Proceedings
Petition(s) for Special Leave to Appeal ©
No(s) 8324-8325/2020
(Arising out of impugned final judgment and order dated 14.02.2020 in W.A.No.51/2020 17.06.2020 in R.A.No.46/2020 passed by the High Court of

Judicature at Madras)

The Anna University

.. Petitioner (s)

vs

Mahendra Institute of Technology & Anr

.. Respondent(s)

(IA No.62111/2020-Exemption from filing c/c of the impugned judgment)

Date:24.07.2020 These petitions were called on for hearing today.

CORAM:

Hon'ble Mr.Justice ARUN MISHRA

Hon'ble Mr.Justice B.R. GAVAI

Hon'ble Mr.Justice KRISHNA MURARI

For Petitioner(s)

Mr. Vijay Narayan, Sr. Adv.

Ms. Narmadha Sampath, Adv.

Mr. Balaji Srinivasan, Advocate

Ms. Garima Jain, Advocate

Mr. Aishwarya Chouldhary, Advocate

Ms. Pallavi Sengupta, Advocate

Ms. Lakshmi Rao, Advocate

Mr. Mohit Singh, AOR

For Respondent (s)

UPON hearing the counsel the Court made the following

ORDER

In the peculiar facts and circumstances of the case, we find no ground to interfere with the impugned order(s) passed by the High Court. The Special Leave Petitions are, accordingly, dismissed.

Pending application(s), if any, shall stand disposed.

(NARENDRA PRASAD)

(JAGDISH CHANDER)

Astt. Registrar-cum-PS

ASSISTANT

REGISTRAR

3. In view of the above and the prayer made by the learned counsel for the appellant, the appeals stand dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

THE CHAIRMAN UNIVERSITY GRANT COMMISSION
BAHADUR SHAH ZAFAR MARG
NEW DELHI-110002

+2 Ccs to Mr.M.Vijaya Kumar, Advocate sr 25602, 25603.

W.A.Nos.565 and 566 of 2020

BR(CO)
SP(12/08/2020)



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