



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Wednesday, the Eighth day of June Two Thousand Twenty Two

PRESENT

THE HON`BLE MR.JUSTICE ABDUL QUDDHOSE

WMP.No.28050 of 2021

IN WP.No.26591 of 2021

VELS INSTITUTE OF SCIENCE, [PETITIONER]
TECHNOLOGY AND ADVANCED STUDIES (VISTAS),
(DEEMED TO BE UNIVERSITY)
REP BY ITS REGISTRAR DR.P.SARAVANAN
VELAN NAGAR, P.V.VAITHIYALINGAM ROAD,
PALLAVARAM, CHENNAI 600 117

Vs

1 THE SECRETARY TO GOVERNMENT [RESPONDENTS]
GOVERNMENT OF INDIA,
MINISTRY OF EDUCATION,
DEPARTMENT OF HIGHER EDUCATION
ICR DIVISION, 515B, B WING,
SHASTRI BHAVAN, NEW DELHI- 110 001.

2 THE UNIVERSITY GRANTS COMMISSION,
REP BY ITS CHAIRMAN,
BAHADUR SHAH ZAFAR MARG,
ITO METRO GATE NUMBER 3,
ROAD, NEW DELHI- 110 002.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order of **INTERIM DIRECTION** directing the 2nd respondent to conduct inspection in the Petitioner University to assess and grade the Petitioner University within a stipulated time, [in WMP.No.28050/2021] Pending disposal of the above WP.No.26591/2021.

Order : This Miscellaneous petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.N.MURALI KUMARAN, Advocate for M/S.MCGAN LAW FIRM for the petitioner and of M/S.B.RABU MANOHAR, SCGC on behalf of the 1 and 2 Respondents, the court made the following order:-



This Writ Miscellaneous Petition has been filed seeking for an interim direction directing the 2nd respondent to conduct inspection of the petitioner University to assess and grade the petitioner university within a stipulated time pending disposal of the above Writ Petition.

2. The petitioner University has filed the above Writ Petition challenging the order dated 22.11.2021 passed by the first respondent, under which the petitioner's Institution has been declared to be not eligible to establish Off-Campus centre as they neither fall in Category-I and Category-II nor is ranked in top 50 universities category of current NIRF ranking.

3. The petitioner has challenged the impugned order on the following grounds:

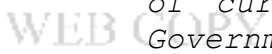
As on the date of application seeking for recognition for its Off-Campus, UGC (Institution deemed to be Universities) Regulations 2019 was not in place and therefore, category-I and Category-II are not applicable as stated in the impugned order, which is applicable only for the applicants, who had applied after UGC (Institution deemed to be Universities) Regulations 2019 came in place. The petitioner claims that it has got every other approval for setting up of its Off-Campus excepting for the approval from UGC.

4. Learned counsel for the petitioner submits that an inspection will have to be done by the respondents of the petitioner's Off-Campus, but they are refusing to come for inspection.

5. However, the learned standing counsel for the respondents submits that since the petitioner does not fall under any of the category under UGC (Institution deemed to be Universities) Regulations 2019, the inspection cannot be done by the respondent. He also drew the attention of this Court to the counter affidavit filed by the second respondent and in particular, he referred to paragraph No.5, which is extracted hereunder:

5. It is most respectfully submitted that the only issue in this Writ Petition is that whether the petitioner University is fulfilling the requirements as stipulated under clause 7.01 of the UGC (Institution deemed to be Universities) Regulations 2019. For better appreciation of the case, clauses 7.01 and 7.01.1 are extracted hereunder:

7.01 - Institutions Deemed to be Universities in Category-I & Category-II or ranked from 1-50 in the "Universities" category of current NIRF ranking shall be permitted to start new Off-Campus Centre(s) following the procedure mentioned hereunder:





WEB COPY

Post the main Writ Petition on 17.08.2022.

-sd/-

08/06/2022

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SECRETARY TO GOVERNMENT
GOVERNMENT OF INDIA,
MINISTRY OF EDUCATION,
DEPARTMENT OF HIGHER EDUCATION
ICR DIVISION, 515B, B WING,
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2 THE CHAIRMAN,
THE UNIVERSITY GRANTS COMMISSION,
BAHADUR SHAH ZAFAR MARG,
ITO METRO GATE NUMBER 3, ROAD,
NEW DELHI- 110 002.

C.C. to M/S.MCGAN LAW FIRM, Advocate, SR.No.4376/2022.

C.C. to M/S.B.RABU MANOHAR, Advocate, SR.No.4361/2022.

Order
in
WMP.No.28050 of 2021
IN WP.No.26591 of 2021

Date :08/06/2022

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RA 17/06/2022