



W.P.No.27342 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.27342 of 2022
and W.M.P.No.26535 of 2022

Knowledge Institute of Technology
represented by its Principal
Kakapalayam, Salem District-637 504.

.... Petitioner

-Vs-

1.University Grants Commission
represented by its Secretary
Bahadur Shah Zafar Marg
New Delhi 110 002.

2.Anna University
represented by its Registrar
Chennai 600 025.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to forthwith grant conferment of autonomous status to Knowledge Institute of Technology, Kakapalayam, Salem District 637 504 for academic sessions 2022-23 onwards in view of the recommendation of the 2nd respondent in Letter No.3164/AU/CAC/Autonomous/2022 dated 13.06.2022.

For Petitioner : Mr.Kandhan Duraisami
For Respondents : Ms.V.Sudha, Standing Counsel – for R1
Mr.V.Meenakshi Sundaram
Standing Counsel – for R2



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ORDER

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The prayer sought for herein is for a Writ of Mandamus directing the 1st respondent to forthwith grant conferment of autonomous status to Knowledge Institute of Technology, Kakapalayam, Salem District 637 504 for academic sessions 2022-23 onwards in view of the recommendation of the 2nd respondent in Letter No.3164/AU/CAC/Autonomous/2022 dated 13.06.2022.

2. The petitioner is an Engineering Institute called Knowledge Institute of Technology approved by the All India Council for Technical Education (AICTE) and affiliated to the Anna University. Since the Institution has been functioning from 2009-10 and the recognition was also granted by the University Grants Commission (UGC) under Sections 2(f) and 12(b) of the UGC Act, on that strength the petitioner wanted to get autonomous status to the institution, for which an application was made on 18.04.2022 and 26.09.2022 to the Anna University and UGC ie., the second respondent and first respondent respectively.

3. As per the procedure in vogue, the decision as to whether autonomous status to be given a particular institution can be given only by the UGC under its 2018 Regulations, however such application should be submitted to the concerned affiliating university, who on considering the same can forward the applications by way of a reasoned order to the UGC within 30 days. If no such



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order is passed within 30 days with or without considering the same, uninfluenced by the input to be supplied, the UGC can independently consider the said application and pass orders thereon on merits and in accordance with law with regard to the plea raised by the institution to get autonomous status.

4. In this process, the application submitted by the petitioner institution to the second respondent / Anna University, having been considered was forwarded to the UGC on 13.06.2022 with their recommendations and despite the same since the first respondent UGC has not so far considered the application by conducting any inspection and passing orders, the petitioner has moved the present writ petition.

5. Heard Mr.Kandhan Duraisami learned counsel appearing for the petitioner, Ms.V.Sudha, learned Standing Counsel for the 1st respondent and Mr.V.Meenakshi Sundaram, learned Standing Counsel for the 2nd respondent.

6. The issue raised in this writ petition is no more *res integra* as number of such cases having been considered, orders were passed by this Court. One such order was passed in W.P.No.24797 of 2022 in the matter of **"V.S.B.Educational Trust -Vs- University Grants Commission"** dated 29.09.2022, wherein this Court, having considered the earlier orders passed by



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the Division Bench of this Court, had issued the following directions.

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" 13. In view of the said legal position and by taking into account of the factual matrix in this case, where, the University counsel has submitted that the reasoned order with a positive note would be forwarded soon to the UGC within a period of one week and having recorded the same, this Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the 1st respondent University Grants Commission to complete the process of the application of the petitioner dated 08.08.2022 and pass orders thereon, with regard to the plea of the petitioner for getting autonomous status for its college i.e. V.S.B. Engineering College for the academic year 2022~2023 after completion of the inspection in this regard by the UGC and after taking into account of the report and reasoned order to be submitted by the 2nd respondent Anna University, which the Anna University would forward to the UGC within a period of one week from the date of receipt of a copy of this order, on merits and in accordance with law within a period of four weeks thereafter. In this regard, if any further input is required from the petitioner by the UGC, that can also be sought for and after getting such further input, the needful as indicated above shall be completed within outer time limit of four weeks and orders shall be passed by the UGC.

14. With these directions, this Writ Petition is disposed of. No costs."



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7. Learned counsel for both sides have not controverted with the aforesaid legal position and in view of the forwarding letter already been made by the University on 13.06.2022, it is for the UGC to process the application and pass orders thereon, after conducting an inspection in this regard.

8. Therefore, this Court is inclined to dispose of this writ petition with the following order.

“ That there shall be a direction to the 1st respondent University Grants Commission to consider the application submitted by the petitioner dated 18.04.2022 and pass orders thereon on merits and in accordance with law of course by conducting an inspection, on the plea raised by the petitioner with regard to the grant of autonomous status to the petitioner institution within four weeks from the date of receipt of a copy of this order.”

9. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

14.10.2022

Index : Yes/No

Internet : Yes/No

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Note : Issue order copy on 17.10.2022

R. SURESH KUMAR, J.



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- To
- 1.University Grants Commission
represented by its Secretary
Bahadur Shah Zafar Marg
New Delhi 110 002.
 - 2.The Registrar Anna University
Chennai 600 025.

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