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W.P.No.30822 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2022

CORAM :

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR**

**W.P.No.30822 of 2022**  
**and**  
**W.M.P.No.30244 of 2022**

K S R Institute for Engineering and Technology,  
Represented by its Chairman,  
KSR Kalvi Nagar,  
Thiruchengodu - 637215,  
Namakkal District.

...Petitioner

Vs.

1.University Grants Commission,  
Represented by its Secretary,  
Bahadur Shah Zafar Marg,  
New Delhi - 110002.

2.Anna University,  
Represented by its Registrar,  
Chennai - 600025.

...Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent to forthwith grant conferment of autonomous status to KSR Institute for Engineering and Technology, KSR Kalvi Nagar, Thiruchengodu, Namakkal District, Tamil Nadu - 637215 for academic sessions 2022-2023 onwards, in view of the Speaking Order of the 2<sup>nd</sup> respondent in Letter No. 3919/AU/CAC/Autonomous/2022 dated 27.08.2022.



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For Petitioner : Mr.Kandhan Duraisami  
For R1 : Mr.B.Rabu Manohar, SCGC  
For R2 : Mr.V.Meenakshi Sundaram, SC

### **ORDER**

The prayer sought for is for a Writ of Mandamus, directing the first respondent to forthwith grant conferment of autonomous status to the petitioner Institution for the academic sessions 2022-2023 onwards, in view of the speaking order of the second respondent, dated 27.08.2022.

2. The petitioner is an Engineering College. Since it has been functioning for long years after getting recognition/approval from the All India Council for Technical Education (AICTE) and affiliated to the respondent Anna University, it became eligible to seek for autonomous status, which would be declared by the respondent University Grants Commission (UGC).

3. As per the procedure in vogue, the petitioner had to make an application to both the UGC as well as the affiliated University simultaneously, which has been rightly made by the petitioner.



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4. The Anna University, having considered the said application and inspected the Institution, has forwarded its reasoned order by way of a letter dated 27.08.2022 to the respondent UGC.

5. The respondent UGC, either on the basis of the reasoned order passed by the respondent University or otherwise by considering the application submitted by the petitioner independently, can decide the issue as to whether the petitioner is entitled to get the autonomous status. Since the same is pending with the UGC, the petitioner has moved the present writ petition.

6. Mr.Kandhan Duraisami, learned counsel for the petitioner would submit that, the issue raised in this writ petition has already been considered in a number of cases and he has placed reliance on one such order passed by this Court in W.P.No.27369 of 2022, dated 14.10.2022, in the case of M.I.E.T. Engineering College Vs. University Grants Commission and another, where this Court has passed the following order:-

*"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.*



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

*“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."*

*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 24.09.2022, 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 1<sup>st</sup> respondent University Grants Commission to consider the application submitted by the petitioner dated 09.04.2022 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."*



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7. Relying upon this order, the learned counsel for the petitioner would contend that, since the petitioner Institution is also similarly placed, the relief granted in the aforesaid writ petition can be extended to the petitioner also.

8. Mr.V.Meenakshi Sundaram, learned Standing Counsel would submit that, on 27.08.2022 itself, the University has forwarded its reasoned order to the UGC.

9. Mr.B.Rabu Manohar, learned Senior Central Government Counsel appearing for the UGC, on instructions, would submit that, since many number of applications in this regard have been filed, they are being disposed of and insofar as the petitioner Institution is concerned, the application would be taken up and decided on merits, either on the basis of the reasoned order passed by the University or independently, within a time that may be stipulated by this Court.

10. I have considered the submissions made by the learned counsel for the respective parties and have perused the materials placed before this Court.



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11. In view of the facts that have been mentioned above, where the issue raised in this writ petition is no more res integra, as number of such orders have been passed as referred above, this Court is inclined to dispose of this writ petition with the following orders:-

(i) There shall be a direction to the first respondent UGC to decide the application submitted by the petitioner seeking declaration of autonomous status of the petitioner College on merits and in accordance with law and in this regard, if any further input is required, the same can also be received and accordingly, final orders to that effect shall be passed by the first respondent UGC, within a period of 4 weeks from the date of receipt of a copy of this order.

12. With these directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**18.11.2022**

Index: Yes/No

Speaking order/Non-speaking order

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Note: Issue order copy on 24.11.2022



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**R. SURESH KUMAR, J.**

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To

1.The Secretary,  
University Grants Commission,  
Bahadur Shah Zafar Marg,  
New Delhi - 110002.

2.The Registrar,  
Anna University,  
Chennai - 600025.

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