



WEB COPY



W.A.Nos.1785 of 2011 etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2023

CORAM :

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.A.Nos.1785, 1784, 1786, 1787, 1788, 1791, 1794, 1869, 1888,
2391 of 2011

and

W.P.No.22097 of 2011

1. B.S.Abdur Rahman University
(A Deemed to be University)
represented by its Registrar Dr.V.M.Periasamy
Seethakathi Estate
G.S.T.Road, Vandalur
Chennai 600 048
2. Abdul Qadir A.Rahman Buhari
Secretary, B.S.Abdur Rahman
Institute of Science of Technology Society
Seethakathi Estate
G.S.T.Road, Vandalur
Chennai 600 048 .. Appellants in WA.1785/2011
1. Shanmugha Arts, Science and Technology
and Research Academy (SASTRA University)
A University under Section 3 of the U.G.C.Act



W.A.Nos.1785 of 2011 etc.

WEB COPY

Having its headquarters at
No.5, Subbarayan Nagar Main Road
Kodambakkam

Chennai 600 024 rep.by its
Registrar Dr.S.N.Srivastava

.. Appellant in WA.1784/2011

1. Sathyabama University
represented by its Registrar Dr.S.S.Rau
Jeppiaar Nagar
Rajeev Gandhi Road
Chennai 600 119

2. Dr.J.Jeppiaar
Managing Trustee
Sathyabama Institute of Science & Technology
Jeppiaar Nagar
Rajeev Gandhi Road
Chennai 600 119

.. Appellants in WA.1786/2011

1. Hindustan University
rep. by its Registrar
40, G.S.T.Road
St.Thomas Mount
Chennai 600 016

2. Anand Jacob Verghese
Vice President of Hindustan Institute
of Technology & Science
No.40, G.S.T.Road
St.Thomas Mount
Chennai 600 016

.. Appellants in WA.1787/2011



W.A.Nos.1785 of 2011 etc.

WEB COPY

1. VIT University

rep by its Registrar Mr.T.S.Thiagarajan

Gayathri Apartments

No.2, First West Cross Street

Gandhi Nagar West

Vellore 632 006

.. Appellant in WA.1788/2011

1. Thiru V.R.Venkataachalam

Managing Trustee

Sri Ramachandra Educational

& Health Trust

No.25, Sir C.V.Raman Road

Chennai 600 018

2. Sri Ramachandra University

(Declared u/s 3 of the UGC Act, 1956)

represented by its Registrar

No.1, Sri Ramachandra Nagar

Porur, Chennai 600 116

.. Appellants in WA.1791/2011

1. SRM University

(Deemed University under Sec.3 of UGC Act)

rep.by its Registrar

SRM Nagar

Kattankulathur 603 203

Kancheepuram District

Tamil Nadu

.. Appellant in WA.1794/2011



W.A.Nos.1785 of 2011 etc.

WEB COPY

1. Bharat University
rep by its Registrar
No.173, Agaram Road
Selaiyur
Chennai 600 073

2. J.Sandeep Anand
President
Bharat Institute of Higher Education
and Research
A Society registered under the
Societies Registration Act, 1975
(Sl.No.36 of 1995)
No.29, Tilak Street
T.Nagar
Chennai 600 017

.. Appellants in WA.1869/2011

1. St.Peter's University
rep.by its Registrar Mr.Dr.M.Shanmugham
Avadi
Chennai 600 054

2. Dr.T.Bhanumathi
Managing Trustee
St.Peter's Institute of Higher Education and Research
Avadi, Chennai 600 054
Tamil Nadu

.. Appellants in WA.1888/2011



W.A.Nos.1785 of 2011 etc.

WEB COPY

1. Vel Tech Rangarajan Dr.Sagunthala
R & D Institute of Science & Technology
(Deemed to be University)
rep by its Registrar Mr.E.Kannan
42, Vel Tech – Avadi Road
Avadi, Chennai 600 062

.. Appellant in WA.2391/2011

1. Amrita Vishwa Vidyapeetham
Amritanagar Post
Ettimadai
Coimbatore 641 112
rep. by its Registrar
Dr.S.Krishnamurthy

.. Petitioner in WP.22097/2011

v.

1. Union of India rep by Secretary to Government
Ministry of Human Resource Development
(Department of Higher Education)
Shastri Bhavan
New Delhi

2. University Grants Commission
through its Secretary
Bahadurshah Zafar Marg
New Delhi 110 002

.. Respondents in WA.1785,
1787/2011

1. Union of India
rep.by its Secretary
Department of Human Resources
Development
Shastri Bhavan, New Delhi



W.A.Nos.1785 of 2011 etc.

WEB COPY

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

.. Respondents in WA.1786/2011

1. University Grants Commission
Bhadurshah Zafar Marg
New Delhi 110 002
represented by its Chairman

2. Government of India
Ministry of Human Resource Development
Department of Higher Education
128 'C' Wing, Shastri Bhavan
New Delhi 110 115
(R2 impleaded suo motu as per order
dated 4.8.2010 in WP.17062/10)

.. Respondents in WA.1784/2011

1. Union of India
rep by its Secretary
Department of Human Resources Development
Shastri Bhavan
New Delhi

2. The University Grants Commission
rep by its Chairman
Bahadur Shah Zaffer Marg
New Delhi 110 002

.. Respondents in WA.1788/2011

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



W.A.Nos.1785 of 2011 etc.

WEB COPY

2. Government of India

Ministry of Human Resource Development

Department of Higher Education

128 C Wing, Shastri Bhavan

New Delhi 110 115

.. Respondents in WA.1791/2011

1. The Secretary

University Grants Commission

Bahadur Shah Jafar Marg

New Delhi 110 002

2. The Joint Secretary

University Grants Commission

Bahadur Shah Jafar Marg

New Delhi 110 002

3. Government of India

Ministry of Human Resource Development

Department of Higher Education

128 'C' Wing, Shastri Bhavan

New Delhi 110 011

.. Respondents in WA.1794/2011

1. Union of India

rep. by its Secretary to Government

Ministry of Human Resources Development

Shastri Bhavan

New Delhi

2. University Grants Commission

rep by its Secretary

Bahadur Shah Zaffer Marg

New Delhi

.. Respondents in WA.1869/2011



W.A.Nos.1785 of 2011 etc.

WEB COPY

1. The Secretary
University Grants Commission
Bahadur Shah Jafar Marg
New Delhi 110 002

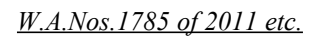
2. Government of India
Ministry of Human Resource Development
Department of Higher Education
128 C Wing, Shastri Bhavan
New Delhi 110 115 .. Respondents in WA.1888/2011

1. Union of India
rep.by Secretary to Government
Ministry of Human Resource Development
(Department of Education)
Shastri Bhavan
New Delhi

2. University Grants Commission
through its Secretary
Bahadursha Zafar Marg
New Delhi 110 002 .. Respondents in WA.2391/2011

1. The Secretary
University Grants Commission
Bahadur Shah Zafar Marg
New Delhi 110 002

2. Union of India
Ministry of Human Resource Development
Department of Higher Education
128 'C' Wing, Shastri Bhavan
New Delhi 110 115



4. University Grants Commission
Bahadur Shah Zafar Marg
New Delhi 110 002
rep.by its Chairman

.. Respondents in WP.22097/2011

Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration, to declare that the UGC (Institutions Deemed to be Universities) Regulations 2010 to be unconstitutional and ultra vires the UGC Act consequently declare the same to be inapplicable to the petitioner University.

For Appellants :: Mr.Niranjana Rajagopal for
M/s G.R.Associates in
WA.1784/2011

Mr.A.Jenasenan in WA.1791/2011

Mrs.B.Saraswathi in WA.1794/2011

Mr.Venkatesh Mahadevan in
WA.1869/2011



WEB COPY



W.A.Nos.1785 of 2011 etc.

Mr.R.Natarajan in WA's.1785, 1786,
1787, 1788 & 1888/2011

Mr.S.Thanka Sivan in WA.2391/2011

For Writ Petitioner:: Mr.K.F.Manavalan in WP.22097/11

For Respondents :: Mr.T.V.Krishnamachari for R1
Mr.P.R.Gopinathan for R2
in WA.1787/2011

Mr.P.R.Gopinathan for R1
Mr.S.Haja Mohideen Gisthi for R2
in WA's.1784, 1791/2011

Mr.P.R.Gopinathan for R1 & R2
Mr.S.Haja Mohideen Gisthi for R3
in WA.1794/2011

Mr.S.Haja Mohideen Gisthi for R1
Mr.A.Kumara Guru for R2 in
WA.1869/2011

Mr.P.R.Gopinath for R1
Mr.S.Haja Mohideen Gisthi for R2
in WA.1888/2011

Mr.S.Haja Mohideen Gisthi for R1
Mr.P.R.Gopinathan for R2 in
WA's.1785, 1786, 1788, 2391/2011

Mr.P.R.Gopinathan for R1 & R4
Mr.S.Haja Mohideen Gisthi for
R2 & R3 in WP.22097/2011



W.A.Nos.1785 of 2011 etc.

COMMON JUDGMENT

WEB COPY (Judgment of the Court was made by D.KRISHNAKUMAR,J.)

The learned counsels appearing for the appellants and the writ petitioner fairly stated before this Court that the appellants and the writ petitioner have challenged the UGC (Institutions Deemed to be Universities) Regulations 2010 to be unconstitutional and ultra vires the UGC Act in the intra-Court appeals and writ petition, whereas the new Regulations of the year 2023 have superseded the Regulations of the year 2010. Therefore, they submitted that nothing survives for adjudication in these writ appeals and writ petition.

2. The learned counsel appearing for the University Grants Commission may not also have any serious objection for this Court to pass appropriate orders.

3. In view of the subsequent development, all these writ appeals and the writ petition are dismissed as infructuous. It is for the appellants and the



W.A.Nos.1785 of 2011 etc.

writ petitioner, if they are aggrieved, to challenge the new Regulations of the year 2023 in the manner known to law. Consequently, interim order stands vacated and M.P.Nos.1 & 2 of 2011 are also dismissed. M.P.No.1 of 2015 is dismissed as unnecessary. There shall be no order as to costs.

(D.K.K.,J.) (P.B.B,J.)
02.08.2023

Index : yes/no
Neutral citation : yes/no

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To

1. The Secretary to Government of India
Ministry of Human Resource Development
(Department of Higher Education)
128 'C' Wing, Shastri Bhavan
New Delhi 110 115

2. The Chairman
University Grants Commission
Bahadurshah Zafar Marg
New Delhi 110 002

3. The Secretary
University Grants Commission
Bahadur Shah Jafar Marg
New Delhi 110 002



WEB COPY

4. The Joint Secretary
University Grants Commission
Bahadur Shah Jafar Marg
New Delhi 110 002



W.A.Nos.1785 of 2011 etc.



WEB COPY



W.A.Nos.1785 of 2011 etc.

D.KRISHNAKUMAR,J.

AND

P.B.BALAJI,J.

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02.08.2023