



W.P.No.29680 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.02.2023**

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

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- 1 Nehru College of Educational and Charitable Trust
Nehru College Campus
Kuniamuthur, Coimbatore 641 008
Represented by its Authorised signatory
- 2 Nehru Institute of Engineering and Technology
Nehru Gardens, Thirumalayampalayam
Coimbatore 641 105
Represented by the Director ... Petitioners

versus

- 1 Anna University
Rep. by its Registrar
Sardar Patel Road
Chennai 600 025
- 2 University Grants Commission
Rep. by its Secretary
Bahadur Shah Zafar Marg
New Delhi 110 002 ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus calling for the records of the 1st respondent vide Letter No.4779/AU/CAC/Autonomous/2022 dated 23.09.2022 and quash the same and consequently direct the 2nd respondent to take on record, consider the application of the petitioner dated 25.08.2022 for conferment of Fresh Autonomous Status for the 2nd petitioner Institution.



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For the Petitioners : Mr.Niranjan Rajagopalan

For the Respondents : Mr.V.Meenakshi Sundaram,
for the first respondent

Mr.P.R.Gopinathan,
for the second respondent

ORDER

The writ petition has been filed in the nature of certiorarified mandamus seeking records of the first respondent relating to a Letter No. 4779/AU/CAC/Autonomous/2022 dated 23.09.2022 and quash the same and consequently direct the second respondent to take on record and consider the application of the petitioner dated 25.08.2022 for conferment of fresh autonomous status for the second petitioner institution.

2. In the affidavit filed in support of the writ petition, it had been stated that the first petitioner trust had been established in the year 1994 with object to provide education by establishing educational institutions. Accordingly the second petitioner was established as an educational institution in the year 2006, with the approval of All India Council of Technical Education. Ten



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undergraduate programs and also further post graduate programs are being conducted by the first respondent.

3. The second respondent/University Grants Commission have framed regulations for conferment of autonomous status for colleges. The procedure for application, the role of the affiliated university, the eligibility, the criteria, the methodology of consideration of the application are all provided by the second respondent/University Grants Commission. These rules and regulations of the second respondent are independent of the rules and regulations of the first respondent namely Anna University.

4. As a matter of fact the first respondent/Anna University also have their rules and regulations for conferment of autonomous status. However, that came into consideration before a Division Bench of this Court in ***Anna University vs Mahendra Institute of Technology and another, W.A.No. 51 of 2020*** and by order dated 14.02.2020, the rules and regulations were interfered and set aside.



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5. A Special Leave Petition filed against the said order was dismissed. That particular order by the Division Bench had been followed consistently by learned Single Judges of this Court.

6. Heard the learned counsels

7. It is no longer resintegra that the second respondent/University Grants Commission can independently assess any college and examine whether it confirms to its rules and guidelines and thereafter to proceed to grant autonomous status.

8. I am informed by the learned counsel for the first respondent that quite independently the first respondent after the order of the Division Bench had also proceeded to frame its own rules and regulations keeping in mind the various directions given by the Court in various matters.

9. It is also stated by the learned counsel that the said rules awaiting final approval. It is stated that once those rules are put in place, the first respondent/Anna University will be in a position to



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conduct inspection and examine whether any college can be granted autonomous status. But however till such time, it would not be appropriate for this Court to direct to keep the application form of the second petitioner pending.

10. A direction is issued to the second respondent/University Grants Commission to, in accordance with their rules and regulations inspect the premises of the second petitioner and examine whether the second petitioner conforms to the various rules and guidelines of the second respondent and if it does so, proceed to grant autonomous status. Let there be an independent application of mind by the officials of the second respondent in this regard and let them not await any further report from the first respondent. This exercise may be commenced and may be conducted and completed on or before 17.03.2023.

11. Learned counsel for the second respondent stated that the second respondent shall process the application in accordance with the rules and regulations and shall pass orders on merits. Such order shall be passed on or before 17.03.2023.



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12. I hope that the first respondent would, by that time, have put their rules and regulations in place so that they could also be of assistance to various colleges in their endeavour to get autonomous status.

13. The writ petition stands disposed of. No costs. Consequently, WMP Nos.29067 and 29069 of 2022 are closed.

06.02.2023

Index: Yes/no
mrn

To

1. The Registrar
Anna University
Sardar Patel Road
Chennai 600 025
- 2 The Secretary
University Grants Commission
Bahadur Shah Zafar Marg
New Delhi 110 002



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C.V.KARTHIKEYAN, J.
(mrn)

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