



W.P.Nos.17649, 20610 and 22915 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.Nos.17649, 20610 and 22915 of 2023

and

W.M.P.Nos. 19995, 22408, 22410, 32772 and 32773 of 2023

Gnanamani College of Technology
represented by its Chairman,
NH-7, A.K.Samuthiram, Pachal Post,
Namakkal District 637 018.

... Petitioner in W.P.No.17649 of
2023

Er.Perumal Manimekalai College of Engineering
represented by its Chairman,
Nallaganakothapalli,
Koneripalli Post,
Krishnagiri District 635 117.

... Petitioner in W.P.No.20610 of
2023

M/s. Shree Venkateshwara Educational & Charitable Trust
Represented by its Chairman P.Venkatachalam,
Administering Shree Venkateshwara Hi-Tech
Engineering College,
Sri Kalaivani Nagar, Othakuthirai, K.Mettupalayam (Post),
Gobichettipalayam, Erode District 638 455.

... Petitioner in W.P.No.22915 of
2023



W.P.Nos.17649, 20610 and 22915 of 2023

Vs.

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1. Anna University,
represented by its Registrar,
Chennai 600 025.

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

... Respondents in W.P.Nos.17649 and 20610 of
2023

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 in W.P.Nos.22915 of 2023

PRAYER in W.P.No.17649 of 2023: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records of the 1st respondent ending with letter No.1150/AU/CAC/Autonomous/2023 dated 17.05.2023 and quash the restriction contained in the order that the autonomy is confined to the first year batches commencing from 2023-2024; and directing the 1st Respondent to grant autonomous status to the petitioner college with effect from 2023-2024 at the institutional level covering the programmes at all levels offered by the petitioner



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college in terms of Regulation 3.11 of UGC Regulations 2018 and affirmed in Regulation 3.10 of UGC Regulations 2023.

PRAYER in W.P.No.20610 of 2023: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records of the 1st respondent ending with letter No.1153/AU/CAC/Autonomous/2023 dated 17.05.2023 and quash the restriction contained in the order that the autonomy is confined to the first year batches commencing from 2023-2024; and directing the 1st Respondent to grant autonomous status to the petitioner college with effect from 2023-2024 at the institutional level covering the programmes at all levels offered by the petitioner college in terms of Regulation 3.11 of UGC Regulations 2018 and affirmed in Regulation 3.10 of UGC Regulations 2023.

PRAYER in W.P.No.22915 of 2023: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 2nd respondent in Letter No.1151/AU/CAC/Autonomous/2023 dated 17.05.2023 quash the same in so far as not according approval for all the years and consequently direct the 2nd respondent University to accord approval of autonomous status for all the years till the time frame stipulated by the 1st Respondent in line with UGC Regulations 2018 to the petitioner college within the time limit fixed by this Hon'ble Court.

For Petitioner in
W.P.Nos.17649
and 20610 of 2023

: Mr.Kandhan Duraisami

For Petitioner in



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W.P.No.22915 of 2023

: D.Prabhu Mukunth Arun Kumar

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For Respondents

: Mr.Avinash Wadhwani
Standing Counsel
for Anna University

: Mr.B.Rabu Manohar
Senior Central Government Panel
Counsel
for University Grants Commission

COMMON ORDER

The petitioners in all these batch of writ petitions are the institutions which sought for autonomous status in terms of the University Grants Commission (Conferment of Autonomous Status Upon Colleges and Measures for Maintenance of Standards in Autonomous Colleges) Regulations, 2018.

2. Accordingly, the University Grants Commission (hereinafter referred to as "UGC"), after having considered the respective claims of the petitioners granted them the autonomous status. Thereafter, the respondent University is under obligation to issue notification within 30 days for a college to function as an autonomous entity. Once autonomous status is conferred on the college by UGC hardly respondent University has any role to interdict the same in terms of UGC Regulations. In the said process, the Syndicate of the respondent University in its meeting held on 20.04.2023 approved the autonomous status granted in favour of seven institutions.



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3. However, in respect of 3 institutions which are shown in S.No.1 - 3 in the minutes of meeting of the 267th Meeting of the Syndicate held on 20.04.2023, the autonomous status was accorded for all the years as stipulated by the UGC and whereas in respect of the petitioners institutions in this batch of writ petition which are shown at S.No. 4 - 7 in the minutes of meeting, the approval was accorded only for the first year batches commencing from the academic year 2023-24 and all the subsequent batches, thereafter. Consequently, the petitioners were issued individual orders granting approval from the academic year 2023-24 unlike the other three institutions which are shown in S.No. 1 - 3 in the minutes of meeting. Aggrieved by the said orders, the petitioners approached this court by way of the present writ petition, complaining differential treatment.

4. This Court after hearing the counsel on either side expressed the prima facie view on 05.09.2024 and passed the following docket order :

"Heard the learned counsel for the petitioners and the learned Standing Counsel appearing for the Respondent University.

2. After having heard the matter at length, this Court is of the prima facie view that the University has acted in a discriminatory manner and treated the petitioner in differential manner though no such power is conferred on the



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University. Hence, this Court before passing orders on merits is intended to afford an opportunity to the Respondent University to rectify itself.

3. Hence, post these matters on 10.09.2024 under the caption "for orders". It is open for the Respondent University to take appropriate steps in the meanwhile."

5. Pursuant to the said docket order, the Registrar of the respondent university filed an affidavit today stating that the university has already changed its view and taken a decision in its 271st Meeting of the Syndicate to grant approval for autonomous status to all the institutions in terms of the UGC regulations 2018 on par with the institutions which are shown at S.No. 1 - 3 of the minutes of meeting of the 267th Meeting of the Syndicate. Contents of the said affidavit reads as under:

"1. I state that when the matter had come up hearing on 10.09.2024 before this Hon'ble Court, the University had confirmed that the procedure of conditional grant of autonomy was discontinued from the 271st Syndicate meeting. It was also confirmed that the autonomous status would be granted in conformity with the UGC regulations of 2018.

2. I state that the four colleges that are petitioners in the present batch of Writ Petitions were considered for the grant of autonomous status in the 267th meeting. In view of the decision taken in the 271st meeting the same shall be placed before the syndicate in the ensuing meeting and after following the necessary procedure the orders conferring autonomy shall be revised in line with the UGC Regulations.

3. It is therefore prayed that his Hon'ble Court may be pleased to



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record this affidavit and pass appropriate orders in the interest of substantial justice."

6. In the light of the above, taking into consideration the contents of affidavit as extracted above, considering the fact that the University itself has changed its mind and accepted to notify the petitioners institutions also on par with the institutions which are shown at S.No. 1 - 3 of the minutes of meeting dated 20.04.2023 in the 267th Syndicate Meeting, the adjudication of these batch of writ petitions on merits is not necessary. Accordingly, the writ petitions are disposed of directing the respondent University to convene its Syndicate Meeting within a period of 6 weeks from the date of receipt of a copy of this order and comply with the undertaking given in the affidavit filed today. No costs. Consequently, connected miscellaneous petitions are closed.

12.09.2024

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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(Note: Registry is directed to issue order copy on 18.09.2024)



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To:

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

2. The Registrar,
Anna University,
Chennai 600 025.



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MUMMINENI SUDHEER KUMAR, J.

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