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W.A.Nos.893 and 1851 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2025

CORAM:

**THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR. JUSTICE K.SURENDER**

**W.A.Nos.893 and 1851 of 2025
and
C.M.P.Nos.7546 and 14173 of 2025**

W.A.No.893 of 2025:

1. Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
Rep. by Managing Director,
3/137, Salamedu,
Valudhareddy Post,
Villupuram – 605 602.
2. Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
Rep. by the Senior Deputy Manager (HRD),
3/137, Salamedu,
Valudhareddy Post,
Villupuram – 605 602.
3. Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
Rep. by the General Manager,
Kancheepuram Regional Office,
Ponnerikkarai, Karapettai,
Chennai – Bangaluru Highway,
Kancheepuram – 631 552.

... Appellants



W.A.Nos.893 and 1851 of 2025

WEB COURT

Vs.

1.K.Muthusamy
2.V.Jeganathan

... Respondents

Prayer in W.A.No.893 of 2025: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order made in W.P.No.6547 of 2024 dated 13.03.2024 and allow this Writ Appeal.

W.A.No.1851 of 2025:

- 1.Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
Rep. by Managing Director,
3/137, Salamedu,
Valudhareddy Post,
Villupuram – 605 602.
- 2.Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
Rep. by the Senior Deputy Manager (HRD),
3/137, Salamedu,
Valudhareddy Post,
Villupuram – 605 602.
- 3.Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
Rep. by the General Manager,
Thiruvannamalai Regional Office,
Thiruvannamalai – 636 601.

... Appellants



W.A.Nos.893 and 1851 of 2025

Vs.

M.Ismail Sharief

... Respondent

Prayer in W.A.No.1851 of 2025: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order made in W.P.No.8369 of 2024 dated 26.03.2024 and allow this Writ Appeal.

For Appellants : Mr.T.Chandrasekaran in both W.As

For Respondents : Mr.N.Ishak in both W.As

COMMON JUDGMENT

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

We do not see any merit in these appeals. Admittedly the respondents were permitted to undertake part time course to enable them to complete the Bachelor of Engineering by the Corporation vide the letter dated 06.07.2010. Subsequently, the respondents in W.A.No.893 of 2025 completed Bachelor of Engineering in 2011-2015 and the respondent in W.A.No.1851 of 2025 completed Bachelor of Engineering in May 2013 with Sri Chandrasekharendra Saraswathi Vishwa Maha Vidhyalaya, a Deemed to be University under Section 3 of the University Grants



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Commission Act, 1956.

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2. The issue as to whether the University requires approval of All India Council for Technical Education for conducting Technical courses was considered by the Hon'ble Supreme Court in ***Bharathidasan University Vs. AICTE*** reported in **(2001) 8 SCC 676** and the Hon'ble Supreme Court concluded that the University do not come within the definition of Technical Institution within the All India Council for Technical Education Act. Therefore, they were not required to get approval of All India Council for Technical Education for conducting Technical courses.

3. This position of law prevailed till the Hon'ble Supreme Court pronounced in ***Orissa Lift Irrigation Corp. Ltd., Vs. Rabi Sankar Patro and others*** reported in **(2018) 1 SCC 468**, wherein, the Universities were also mandated to get the approval of All India Council for Technical Education for running Technical courses. In paragraph Nos.25 and 26 of the said judgment in ***Orissa Lift Irrigation Corp. Ltd., Vs. Rabi Sankar Patro and others*** (*supra*), the Hon'ble Supreme Court has observed as follows:-

25. On 24-9-2001, a decision was rendered by this



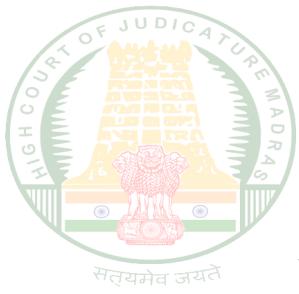
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Court in Bharathidasan University v. AICTE [Bharathidasan University v. AICTE, (2001) 8 SCC 676 : 1 SCEC 924] . The appellant therein, created under the Bharathidasan University Act with its area of operation over three districts in the State of Tamil Nadu had commenced courses in technological subjects in its own departments as an adjunct to the University without any approval of AICTE. A writ petition was filed by AICTE submitting that no such courses could be started without its prior approval. The plea was accepted [Bharathidasan University v. AICTE, 1998 SCC OnLine Mad 715 : (1998) 3 CTC 236] by the High Court of Madras which view was challenged in this Court. While dealing with question whether prior approval of AICTE was required for a “university” to start courses in technical education, this Court held that the definition of “technical institution” under the AICTE Act excludes a “university” and since the power of grant of approval for starting new “technical institution” and for introduction of new courses or programmes under Section 10(k) of the AICTE Act would not cover a “university” but only a technical institution, the appellant University was within its rights to start such courses without the prior approval of AICTE.

26.*Bharathidasan [Bharathidasan University v. AICTE, (2001) 8 SCC 676 : 1 SCEC 924] having laid down that*



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prior approval of AICTE was not required for a university to start technical courses, the subsequent guidelines, notifications issued by UGC, AICTE and the Government of India were framed in the light of the said decision. The understanding entertained by all the authorities was that AICTE was not competent to deal with issues of prior approval in respect of “universities” for technical courses and since the term “university” under the UGC Act includes deemed to be universities, AICTE has no power to deal with issues of prior approval for technical courses in respect of deemed to be universities as well.

4. Therefore, the requirement of approval by All India Council for Technical Education applied to the Universities concerned only from the Academic Year 2018-2019. Those graduates who had completed the course Bachelor of Engineering in those universities prior to 2018-2019 would possess a valid degree.

5. The learned Single Judge has also after noticing the above judgment held that the Bachelor of Engineering degrees obtained by the respondents are perfectly valid. Therefore, we see no reason to interfere



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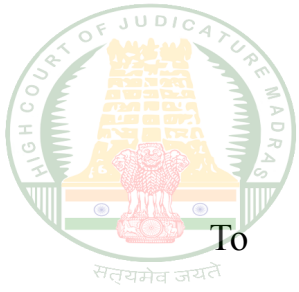
with the orders of the writ Court.

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6. The Writ Appeals fail and are accordingly **dismissed**. It is made clear that the respondents will be entitled to the benefit of the order of the learned Single Judge and the same shall be complied with within a period of twelve (12) weeks from today. No costs. Consequently, the connected miscellaneous petitions are closed.

dsa
Index : No
Neutral Citation : No
Speaking order

(R.S.M.,J.) (K.S.,J.)
25.06.2025



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To

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R.SUBRAMANIAN, J.
and
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