



W.P.No.5006 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2025

CORAM:

THE HON'BLE MRS.JUSTICE.N.MALA

W.P.No.5006 of 2025

Mount Zion College of Engineering & Technology,
represented by its Principal,
Lenavilakku, Pilivalam Post,
Pudukottai District.

... Petitioner

Vs.

1. Anna University,
Represented by its Registrar,
Chennai – 600 025.

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

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent herein to scrupulously adhere to Regulation 4.2 of University Grants Commission (Conferment of Autonomous Status upon colleges and measures for maintenance of standards in autonomous colleges) Regulations 2023 and forthwith notify the autonomous status granted to the petitioner College in the order of the University Grants



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Commission in No.F.2-10/2023(AC-Policy) dated 02.01.2025 in line with the
Judgment rendered in W.A.No.51 of 2020 as confirmed in S.L.P.(Civil)
Nos.8324-8325 of 2020.

For Petitioner : Mr.Kandhan Duraisami

For R1 : Mr.U.Baranidharan,
Standing Counsel

For R2 : Mr.B.Rabu Manohar (UGC)

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ORDER

This writ petition is filed to direct the respondent herein to scrupulously adhere to Regulation 4.2 of University Grants Commission (Conferment of Autonomous Status upon colleges and measures for maintenance of standards in autonomous colleges) Regulations 2023 and forthwith notify the autonomous status granted to the petitioner College in the order of the University Grants Commission in No.F.2-10/2023(AC-Policy) dated 02.01.2025 in line with the Judgment rendered in W.A.No.51 of 2020 as confirmed in S.L.P.(Civil) Nos.8324-8325 of 2020.

2.The petitioner college was started with the approval of All India



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Council for Technical Education and it is affiliated to Anna University, Chennai. The petitioner college is recognised by University Grants Commission under Section 2(f) of the UGC Act 1956. The petitioner college has been accredited by the National Assessment and Accreditation Council at Grade A+. As the petitioner satisfied the eligibility criteria prescribed in Regulation 6 of UGC Regulations for grant of autonomous status by UGC, the petitioner submitted its application on 15.03.2023, to Anna University for conferment of autonomous status. The petitioner also submitted the filled-in proforma with required documents to UGC. Since the petitioner's application was kept pending, the petitioner filed a writ petition before this Court in W.P.No.12865 of 2023, with a prayer to direct the UGC to consider the application and this Court vide order dated 27.04.2023, directed the UGC to dispose of the application dated 15.03.2023, in line with UGC Regulations. On 09.06.2023, Anna University sent its opinion to UGC stating that the petitioner had low enrolment of students. After, some litigation, UGC finally approved the recommendation of Standing Committee on Autonomous Colleges for conferment of autonomous status to the petitioner college for a period of 10 years from academic year 2025-2026 to 2034-2035, as per Clause 7.5, of the UGC Regulations, 2023. By order dated 02.01.2025 the UGC conferred



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autonomous status to the petitioner. The University Grants Commission also categorically requested the University to issue necessary notification within 30 days regarding the grant of autonomous status to the petitioner college in terms of its Regulations. The petitioner in pursuance of the order dated 02.01.2025 submitted a representation on 08.01.2025, requesting the University to issue the notification since the University failed to issue the notification ordered by UGC, the petitioner sent another representation on 06.02.2025, and even thereafter no action was taken by the University. Therefore, the petitioner filed the above writ petition for the aforesaid relief.

3.The role of the parent University is stipulated in Regulation 4 of the UGC Regulations, 2023. Regulation 4.1 and 4.2 read as follows:

“4.1 To examine the application of the College for autonomous status on the UGC portal and give its recommendations, along with reasons/justification, within 30 working days on the UGC portal. If the parent University does not respond on the UGC Portal within 30 working days, it shall be presumed that the parent University has no objection to the processing of the application by the UGC for conferment of autonomous status.



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4.2 Issue notification within 30 days for a College to function as an autonomous entity once the autonomous status is conferred on the College by UGC.”

4. In the light of the Regulation 4.2 of the UGC Regulation extracted above, the first respondent is bound to issue the notification within 30 days. In this regard, the Judgment of the First Division Bench of this Court in the case of *Anna University Vs. Mahendra Institute of Technology and Another in W.A.No.51 of 2020* can be usefully referred. The Court held as follows:

“14. In the said background, we are of the opinion that the 2018 Regulations framed by the University Grants Commission in exercise of the powers conferred under Section 12(f), (g), (j) r/w 26(1) of the University Grants Commission Act, 1956 govern the field, inasmuch as the same is clearly saved as being a Regulation duly authorized having its source in Entry 66 of List I of the Constitution of India. There is no law for the time being relating to the Regulation of grant of autonomous Colleges running contrary to the same either framed under Entry 66 of List I or entry 25 of List III. In the absence of any such legislation to the contrary, we are of the clear opinion that the 2018 Regulations clearly hold the field exclusively in the matters



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of grant of autonomous status to affiliated Colleges. The resolution of the Syndicate dated 27.05.2014 cannot in any way be said to have an overriding effect or even supplementary effect to the 2018 Regulations, inasmuch as the method of grant of an autonomous status is clearly defined under the 2018 Regulations and the eligibility to obtain such status is also governed by the same.”

5.The aforesaid Judgment of the Hon'ble First Division Bench was confirmed by the Supreme Court in S.L.P.(Civil) Nos.8324-8325 of 2020. From a reading of the aforementioned Regulation and the Judgment of the Hon'ble First Division Bench of this Court, it is clear that the first respondent University has no choice but is bound to issue the notification as mandated by Regulation 4.2 of the UGC Regulations, 2023.

6.In view of the above discussion and under the facts and circumstances of the case, I am of the view that the Writ Petition deserves to be allowed. Hence, the Writ Petition is allowed with a direction to the first respondent University to notify the autonomous status granted to the petitioner College as per Regulation 4.2 of the UGC Regulations 2023, within a period of four weeks, from the date of receipt of a copy of this order. There shall be no order



as to costs.

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Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes / No

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To

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2. University Grants Commission,
Represented by its Secretary,
Bahadur Shah Zafar Marg,
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3. Mount Zion College of Engineering & Technology,
represented by its Principal,
Lenavilakku, Pilivalam Post,
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N.MALA, J.
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