



W.P.No.9564 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 24.03.2025

CORAM:

THE HON'BLE MRS.JUSTICE.N.MALA

W.P.No.9564 of 2025
and WMP.Nos.10719 & 10721 of 2025

CMS College of Engineering and Technology,
Rep. by its Principal,
Appachigoudanpathy, Kumittipathy (PO),
Othakalmandapam (Via),
Coimbatore – 641 032. ... Petitioner

Vs.

1.The Anna University,
Rep. by its Registrar,
Anna University Campus,
Guindy, Chennai – 600 025.

2.The University Grants Commission,
Rep. by its Secretary,
Bahadur Shah Zafar Marg,
New Delhi – 110 002. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent in letter bearing No.Procs.No.003/AU/CAC/ Aut.Status/2024-25 dated 03.02.2025, quash the same and consequently direct the 1st respondent to issue notification forthwith in respect of the petitioner to function as an



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autonomous entity.

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For Petitioner : Mr.G.Anand Gopalan for Agam Legal

For R1 : Mr.U.Baranidharan,
Standing Counsel

For R2 : Mr.B.Rabu Manohar,
Senior Central Government Counsel (UGC)

* * * * *

ORDER

This Writ Petition is filed to call for the records of the 1st respondent in letter bearing No.Procs.No.003/AU/CAC/ Aut.Status/2024-25 dated 03.02.2025, quash the same and consequently direct the 1st respondent to issue notification forthwith in respect of the petitioner to function as an autonomous entity.

2.With the consent of both the learned counsels, this Writ Petition is taken up for final disposal at the admission stage itself.

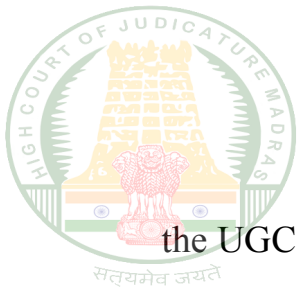
3.The petitioner is an Institution recognised by the University Grants Commission under Section 2(f) of the University Grants Commission Act, 1956 and is affiliated to the Anna University, Chennai. The petitioner Institution is approved by the All India Council for Technical Education (“AICTE”) and it has been accredited with 'A' Grade by the National Assessment and



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Accreditation Council (“NAAC”). The petitioner Institution offers 9 approved courses in different fields of Engineering and Technology, Computer Science and Artificial Intelligence, out of which 7 are Under Graduate courses and 2 are Post Graduate courses. Meanwhile, the UGC in supersession of the 2018 Regulations, framed the UGC Regulation 2023, with an objective of promoting the autonomy of Colleges in order to enhance the quality of higher education in the country. The aforesaid objective is discernible from Clause 3 of the UGC Regulation of 2023. Meantime, in accordance with Clause 7.1 of the University Grants Commission (Conferment of Autonomous Status upon Colleges and Measures for Maintenance of Standards in Autonomous Colleges) Regulations, 2023, the petitioner submitted an application to the 2nd respondent, through its web portal, seeking conferment of autonomous status. It appears that the 1st respondent informed the 2nd respondent of the petitioner's application. The first respondent through its letter dated 03.11.2023, informed the second respondent, that the petitioner did not meet certain criteria required in terms of its Statutes on Academic Matters and hence it did not recommend for conferment of autonomous status to the petitioner Institution. Thereafter, the second respondent after detailed scrutiny of the petitioner's application decided to confer autonomous status to the petitioner Institution for a period of 10 years from the Academic years 2024-2025 to 2033-2034 under Clause 7.5 of



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the UGC Regulations 2023. The said communication was communicated to the

first respondent University on 09.09.2024, and the copy of the said communication was marked to the petitioner and the Principal Secretary, Higher Education Department, Government of Tamil Nadu. The second respondent further directed the first respondent to issue the necessary notification for the grant of autonomous status to the petitioner within a period of 30 days as mandated by its regulation. The first respondent after the lapse of four months issued the impugned communication on 03.02.2025, refusing to confer autonomous status to the petitioner's Institution. Challenging the said impugned communication the petitioner institution has filed the above writ petition for the aforesaid relief.

4.The learned counsel for the petitioner submitted that when the decision was taken by the UGC to confer autonomous status to the petitioner Institution, the first respondent had no right to sit on appeal over the decision taken by UGC. The petitioner Institution complied with the eligibility criteria for conferment of autonomous status prescribed by the second respondent, and the second respondent also decided to confer the autonomous status to it. Ergo, the first respondent had no right to impose its statutes of Academic Matter's, for denying the petitioner Institution the autonomous status conferred by the UGC.



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The learned counsel further submitted that under Clause 4.2 of the UGC Regulations, 2023, the second respondent was bound to notify the autonomous status of the petitioner's Institution as conferred by the UGC.

5.The learned counsel in support of the above submissions relied on 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, which was later confirmed by the Hon'ble Supreme Court in S.L.P.(Civil) Nos.8324-8325 of 2020.

6.The learned counsel appearing for the UGC submitted that without considering the objections of the first respondent, the second respondent would not have passed orders conferring autonomous status to the petitioner Institution. The learned counsel further submitted that in any event, if the objections were filed beyond 30 days, it could be presumed that the University had no objection under Regulation 4.1. The learned counsel for the UGC further submitted that on conferment of autonomous status by the UGC, under Regulation 4.1, the first respondent was bound to issue the notification within 30 days under Clause 4.2.

7.I have heard both the learned counsels and I have perused the materials



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placed on record.

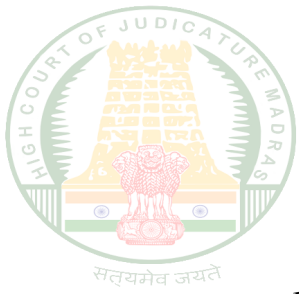
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8.The role of the parent University is provided in Regulation 4 of the UGC Regulations, 2023. Regulation 4.1 and 4.2 read as follows:

“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.

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.”

9.From a reading of the above regulations, it is clear that the first respondent is bound to issue the notification, once the UGC confers the autonomous status on the colleges/ institutions. At this juncture, 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 to. This Court held as follows:



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“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 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.”

10.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 Regulations and the Judgment of the Hon'ble First Division Bench of this Court, it is clear that the field is entirely occupied by the UGC and therefore the 1st respondent cannot impose its statutes



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on Academic matters on the petitioner institution for refusing to issue the notification. Moreso, when the UGC conferred the Autonomous status to the petitioner Institution, on fulfillment of the criteria laid down in UGC Regulations, 2023.

11.In view of the above discussions and under the facts and circumstances of the case, I am of the view that the Impugned communication cannot be sustained and hence the same is quashed. The Writ Petition deserves merit. Hence, the Writ Petition is allowed with a direction to the first respondent University to notify the autonomous status granted to the petitioner Institution 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. However, there shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

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Index : Yes / No

Internet : Yes / No

Speaking order/Non-speaking order



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To

- 1.The Registrar,
Anna University,
Anna University Campus,
Guindy, Chennai – 600 025.
- 2.The Secretary,
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi – 110 002.
- 3.The Principal,
CMS College of Engineering and Technology,
Appachigoudanpathy, Kumittipathy (PO),
Othakalmandapam (Via),
Coimbatore – 641 032.

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N.MALA, J.
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