

WP NO. 12564 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-04-2025

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THE HONOURABLE MRS JUSTICE N. MALA

WP NO. 12564 of 2025

Akshaya College Of Engineering And Technology
Rep By Its Chief Executive Officer,
Dr. S. Kapilan S/o K.R. Sunderraj Kinathukadavu,
Coimbatore 642 109.

..Petitioner

Vs

1. The Anna University
Rep. By Its Registrar, Chennai 25

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 Constitution of India, directing the 1st respondent herein to scrupulously adhere to Regulation 402 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. 2- 10/2023 (AC Policy) dated 19.01.2024 in line with the judgement rendered in W.A. No 51 of 2020 dated 14.02.2020 as confirmed in S.L.P (civil) Nos. 8324-8325 of 2020 dated 24.07.2020 and pass such further or other orders.

For Petitioner: Mr.C.Prakasam

For Respondents: Mr.U.Baranidharan Standing Counsel - R1
Mrs.V.Sudha, Standing Counsel - R2



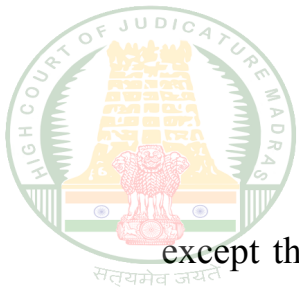
WP NO. 12564 of 2025

ORDER

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This writ petition is filed for a mandamus, seeking directions to the 1st respondent to 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 further to notify the autonomous status granted to the petitioner college by the University Grants Commission vide its order dated 19.01.2024.

2. The Chief Executive Officer of the petitioner College approached the 2nd respondent/UGC for conferment of autonomous status for five years, from 2024-2025 to 2028 -2029. The request of petitioner College was considered, and vide order dated 19.01.2024, the 2nd respondent passed orders conferring the autonomous status to the petitioner college. Pursuant to the conferment of autonomous status by the UGC/2nd respondent, the petitioner college approached the 1st respondent-University to notify the autonomous status conferred on it by the UGC, as mandated by Regulation 4.2 of the UGC Regulations. The petitioner stated that in the syndicate meeting of the University held on 29.07.2024, all other engineering colleges were recommended for notification of the autonomous status granted by the UGC,



WP NO. 12564 of 2025

except the petitioner college. Therefore, the petitioner college, by letter dated 03.02.2025, approached the 1st respondent-University for issuance of necessary notification under Regulations 4.2 of the UGC Regulations, but there was no response. Hence, seeking the aforesaid directions, the petitioner college filed the present writ petition.

4. With the consent of both counsels, the main writ petition is taken up for final disposal.

5. Learned standing counsel for the 1st respondent-University submitted that the University, did not recommend the petitioner College, for conferment of autonomous status, as the petitioner college did not satisfy the criteria prescribed in the Academic Statutes of Anna University, 2023. The learned standing counsel further submitted that, without complying with the criteria mandated in the Academic Status of Anna University 2023, the petitioner college cannot claim such status. The counsel hence prayed for the dismissal of the writ petition.

6. Learned Standing Counsel for the 2nd respondent/UGC submitted that objections of the 1st respondent-University were considered by the UGC, and the same were rejected not only for belated response, but also because the



WP NO. 12564 of 2025

reason cited by the University for not considering the case of the petitioner college, was unsound and against the provisions of the UGC Regulations, 2023.

7. Heard both sides and perused the materials available on record.

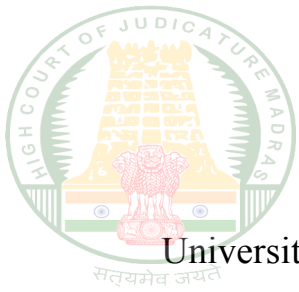
8. The role of the parent University is stipulated in Regulation 4 of the UGC Regulations, 2023. The relevant regulations, namely 4.1 & 4.2 of UGC Regulations, 2023, read as follows:

“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.”

From the above it is clear that once the objections of the affiliating University are considered and rejected by the UGC, the University was bound to notify the conferment of autonomous status of the college, within 30 days.

9. In the present case, the only objection raised by the 1st respondent-

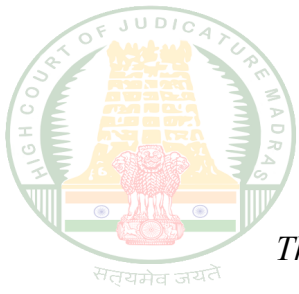


WP NO. 12564 of 2025

University, is that the petitioner-college, did not comply with the academic statutes of the Anna University, 2023, for notifying the conferment of autonomous status by the UGC. It is seen from the Minutes of the Standing Committee, on Autonomous Colleges, conducted by the 2nd respondent-UGC, that the UGC, recommended granting autonomous status to the petitioner-college for a period of 5 years, from the academic year 2024-2025 to 2028-2029. The said recommendation was made by rejecting the objections of the 1st respondent-University, on the ground of delay and on finding that there were no justifiable reasons for the objections, more so, when the college satisfied 5 out of 7 criteria laid down by UGC for conferment of the ;autonomous status.

10. 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, dated 14.02.2020*** 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.



WP NO. 12564 of 2025

WEB COPY

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.”

11. 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 is bound to issue the notification as mandated by Regulation 4.2 of the UGC Regulations, 2023.



WP NO. 12564 of 2025

WEB COPY

12. In view of the above discussions and under the facts and circumstances of the case, I am of the view that the Writ Petition deserves to be allowed. Accordingly, the Writ Petition is allowed with a direction to the first respondent University, to notify the autonomous status granted to the petitioner College, 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.

23-04-2025

Index: Yes
Internet : Yes
Neutral Citation: Yes

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To
1. The Registrar,
Anna University
Chennai 25.

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



WEB COPY



WP NO. 12564 of 2025

N. MALA, J

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W.P.No. 12564 of 2025

23.04.2025