

W.P.No.13555 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2025

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.13555 of 2025

Chockalingapuram Devangar
Varthagar Sangam Society
Registered under
Tamil Nadu Society Registration Act, 1975
Rep.by its President, P.Murugesan
No.20, West Car Street, Chockalingapuram,
Aruppukottai,
Established & Administering
Sree Sowdambika College of Engineering
Chettikurichi Aruppukottai
Virudhunagar District - 626 134.

... Petitioner

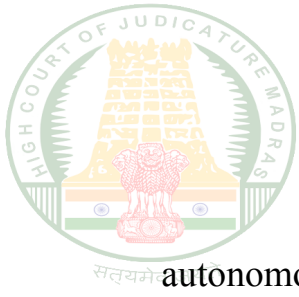
Vs.

1. University Grants Commission
Rep.by its Secretary
Bahadur Shah Zafar Marg
New Delhi 110 002.

2. The Registrar
Anna University
Sardar Patel Road,
Chennai 600 025.

... Respondents

PRAYER : Writ Petition filed under Article 226 of Constitution of India,
to issue Writ of Mandamus to direct the 2nd respondent University to notify the



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autonomous status granted to the petitioner college by the 1st respondent University Grants Commission vide order in No.F.2-10/2023(AC-Policy) dated 07.01.2025 for a period of five years from 2025-2026 to 2029-2030 as per Clause 4.2 of University Grants Commission (Conferment of Autonomous Status upon Colleges and Measures for maintenance of standards in autonomous colleges) Regulation 2023 forthwith.

For Petitioner : Mr.D.Prabh Mukunth Arunkumar
For Respondents : Mr.B.Rabumanohar
Standing Counsel for R1
Mr.U.Baranidharan
Standing Counsel for R2

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus to direct the 2nd respondent University to notify the autonomous status granted to the petitioner college by the 1st respondent University Grants Commission vide order in No.F.2-10/2023(AC-Policy) dated 07.01.2025 for a period of five years from 2025-2026 to 2029-2030 as per Clause 4.2 of University Grants Commission (Conferment of Autonomous Status upon Colleges and Measures for maintenance of standards in autonomous colleges) Regulation 2023 forthwith.



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2. The petitioner/college was started in the year 2000-2001. The All India Council for Technical Education (hereinafter called as AICTE) on 27.12.1999 in F.No.732-52-97/INDEG/ET/97 granted permission to start the college. The college was granted affiliation by the Madurai Kamaraj University on 09.03.2000 in CDC1/DEAN/FA/2000 for the academic year 2000-2001. Thereafter the college acquired affiliation from the 2nd respondent University. The petitioner/college was included in the list of Colleges under Section 2(f) of the UGC Act, under the head Non-Government Colleges teaching up to Master's Degree and under 12(B) of the UGC Act, under the head Non-Government Colleges teaching up to Bachelors Degree, by the 1st respondent UGC vide orders dated 23.06.2015 and 20.03.2015 respectively. According to the petitioner/ college it had the requisite infrastructural and instructional facilities and hence was eligible for grant of autonomous status under Regulation 6 of the University Grants Commission (Conferment of Autonomous Status Upon Colleges and Measures for Maintenance of Standards in Autonomous Colleges) Regulations, 2023. The petitioner/college submitted an application on 22.07.2024, to the 1st respondent/UGC for conferment of autonomous status from the academic year 2025-26.



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3. The petitioner stated that the first respondent, UGC, pursuant to the petitioner's application, conferred Autonomous Status to its college, vide order in No.F.2-10/2023(AC-Policy) dated 07.01.2025, for a period of five years from 2025-2026 to 2029-2030, under Clause 7.4 of UGC Regulation 2023. This order also directed the 2nd respondent University to issue necessary notification within 30 days, regarding the grant of autonomous status to the petitioner college as per above mentioned UGC Regulations. In fact, the conferment of Autonomous Status to the petitioner college was communicated to the 2nd respondent University with a copy marked to the petitioner college. Upon receipt of the conferment order, the petitioner/college submitted a letter dated 10.01.2025, to the 2nd respondent University, requesting the issuance of the notification as per the orders of the 1st respondent/ UGC. However, even after the lapse of more than 60 days, the 2nd respondent did not notify the conferment of autonomous status in accordance with Clause 4.2 of the UGC Regulation 2023. Consequently, another representation was submitted by the petitioner on 28.03.2025, to the 2nd respondent University. Despite this, the 2nd respondent University still did not notify the autonomous status granted to the petitioner college. Hence the petitioner was constrained to file the above writ petition for



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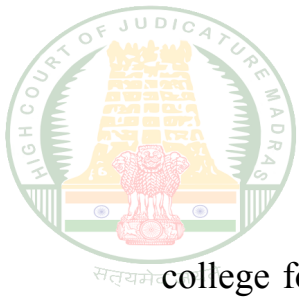
the aforesaid relief.

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4. The learned counsel for the petitioner submitted that the issue pertaining to issue of notification is no longer res-integra in view of the judgment of the Division Bench of this Court in WA.No.51 of 2020. The counsel submitted that the said judgment was confirmed by the Hon'ble Supreme Court in SLP(C) No.8324-8325 of 2020. The counsel further submitted that following the division bench judgment, in a recent judgment in W.P.Nos.35, 38 & 39 of 2025 dated 05.02.2025, the 2nd respondent University was directed to notify the autonomous status conferred by the UGC to the respective petitioner colleges therein.

5. The learned counsel for the 2nd respondent on instructions submitted that as the petitioner did not satisfy the criteria prescribed in the Academic statutes of Anna University, 2023 the petitioner College was not recommended for conferment of autonomous status and the notification was also not issued.

6. The learned Standing Counsel for the 1st respondent submitted that the UGC recommended and approved the conferment of autonomous status to the



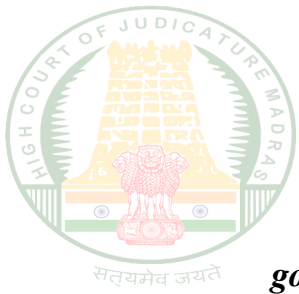
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college for a period of five years, effective from the academic year 2025-2026 to 2029-2030, as per Clause 7.4 of the UGC (Conferment of Autonomous Status Upon Colleges and Measures for Maintenance of Standards in Autonomous Colleges) Regulations, 2023, and therefore the 2nd respondent was bound to notify the same under the UGC Regulations.

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

8. The University Grants Commission recommended and approved the conferment of autonomous status to the college for a period of five years effective from the academic year 2025-2026 to 2029-2030, as per Clause 7.4 of the UGC (Conferment of Autonomous Status Upon Colleges and Measures for Maintenance of Standards in Autonomous Colleges) Regulations, 2023. As rightly contended by the learned counsel for the petitioner the issue is no longer res-integra as the Division Bench of this Court in WA.No.51 of 2020 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) read with Section 26(1) of the University Grants Commission Act, 1956



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govern the field, inasmuch as the same is clearly saved as being a Regulation duly authorised 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.

9. At this juncture it would be relevant to refer to Regulation 4 of the UGC Regulations, 2023. The relevant Regulations 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 conference 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.”

10. From a reading of the above regulations, it is clear that the 2nd respondent University, is bound to issue the notification within 30 working days of conferment of autonomous status by the UGC. In the present case the only objection of the 2nd respondent University, is that the petitioner did not satisfy the criteria prescribed in Academic statutes of Anna University, 2023. In the aforesaid Division Bench judgment, the Court clearly held that the regulations of the UGC will alone hold the field in the matter of grant of autonomous status to affiliated colleges, and therefore the objection of the 2nd respondent that the criteria prescribed in the Academic statutes of Anna University, 2023 were not satisfied cannot be a ground for not issuing the notification as required in regulations 4.2 of the 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 writ petition deserves to be allowed. Hence, the writ petition is ***allowed*** with a direction to the 2nd



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respondent University, to issue necessary notification as per Clause 4.2 of University Grants Commission (Conferment of Autonomous Status upon Colleges and Measures for maintenance of standards in autonomous colleges) Regulation, 2023 within a period of four weeks from the date of receipt of a copy of this order. No costs.

25.04.2025

dpq

Index : Yes /No

Speaking Order : Yes/No

To

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Bahadur Shah Zafar Marg
New Delhi 110 002.
2. The Registrar
Anna University
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Chennai 600 025.



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N. MALA, J.

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