



W.P.(MD) No. 19318 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 19318 of 2025

Gurunathan

... Petitioner

Vs

1. The Vice-Chancellor and Chairman,
Board of Management,
Gandhigram Rural Institute (Deemed to Be
University),
Gandhigram - 624302,
Dindigul District,
Tamil Nadu.

2. The Registrar In-Charge and Member -Secretary,
Board of Management,
Gandhigram Rural Institute (Deemed to
Be University),
Gandhigram - 624302,
Dindigul District,
Tamil Nadu.

3. The Secretary (HE),
Department of Higher Education,
Ministry of Education, Union of India,
Dr.Rajendra Prasad Road,
Shastri Bhawan,



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4. The District Registrar of Registrations,
District Registration Department,
Collectorate Campus,
Velu Natchiyar Vazhagam,
Dindigul - 624004,
Tamil Nadu.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents 1 and 2 to implement the regulation issued by the UGC dated 2nd June 2023 within the period to be stipulated by this Court and further, restrain the respondents 1 and 2 not to conduct any meeting of the Board of Management of University till implementation of the new Memorandum of Association, based on the UGC Regulations 2023 as per the Ministry approval order, dated 01.08.2024 addressed to the first respondent.

For petitioner : Mr. P.Manikandan

For respondents : Mr.M.Karthikeya Venkitachalapathy for R1 & R2
Mr.C.Nandagopal for R3
Mr.S.Sahi Bino
Special Government Pleader for R4

ORDER

This Writ Petition is disposed of at the time of admission with the consent of the learned counsel for the petitioner, learned counsel for the respondents 1 and



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2, learned counsel for the third respondent and learned Special Government Pleader for the fourth respondent.

2. The petitioner has approached this Court to direct the respondents 1 and 2 to implement University Grants Commission (Institutions deemed to be Universities) Regulations, 2023, dated 02.06.2023.

3. The above regulations came into force on the date of its publication in the Official Gazette, which has been published in Extraordinary Part-III-Section 4 in Gazette No.365, dated 02.06.2023.

4. As per the proviso to Rule 1(3) of UGC (Institutions Deemed to be University) Regulations, 2023, the Universities declared prior to the date of commencement of the regulation are required to amend the Memorandum of Association or Rules of the Institutions deemed to be University and are required to comply with the regulations within one year from the commencement of the regulation and compliance report has to be submitted to the Commission within



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time frame, failing which necessary action can be initiated as per the provisions of the aforesaid regulation. Proviso to Rule 1(3) reads as under:

“Provided the institutions deemed to be Universities declared prior to the date of commencement of these regulations shall amend the Memorandum of Association or rules of the institution deemed to be University to comply with these regulations within a period of one year from date of commencement of these regulations and the compliance report shall be submitted to the Commission within said time frame, failing which necessary action may be initiated as per the provisions of these regulations.”

5. The learned counsel for the respondents 1 and 2 submits that the by-laws were amended as early as 19.12.2024 and amended by-laws have been filed with the Registrar of Societies under the provisions of Tamil Nadu Societies Registration Act, 1975 and Rules made thereunder.

6. It is submitted that although the amendments have been made, the Registrar of Societies has not acted on the same and therefore, the implementation of the aforesaid regulation has not been given an effect to.



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7. It is submitted that unless the amendment is registered by the Registrar of Societies under the provisions of Tamil Nadu Societies Registration Act, 1975, the implementation of the aforesaid regulations may not be feasible.

8. I have considered the arguments advanced by the learned counsel for the petitioner, learned counsel for the respondents 1 and 2, learned counsel for the third respondent and learned Special Government Pleader for the fourth respondent.

9. The mandate of the regulation is clear. In case there is a failure to implement the aforesaid regulation, the respondents 1 and 2 are to be proceeded in accordance with the aforesaid regulation. Therefore, there shall be a direction to the respondents 1 and 2 to ensure that the by-laws are registered before the Registrar of Societies within a period of one (1) month from the date of receipt of a copy of this order and the provisions of aforesaid regulation is implemented within a period of two (2) months thereafter.



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10. Pending such exercise, the regular activity can be carried out by the respondents 1 and 2, however, at the risk of action to be proceeded in accordance with provisions of the aforesaid regulation.

11. This Writ Petition is disposed of, with the above observations. No costs.

Index : Yes / No
Internet : Yes / No
apd

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C.SARAVANAN, J.

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