

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). OF 2026
[@ SLP (C) Nos. 15406-15427 OF 2023]

THE UNIVERSITY GRANTS COMMISSION

Appellant(s)

VERSUS

ANNAMALAI UNIVERSITY & ORS. ETC.

Respondent(s)

O R D E R

1. Leave granted.

2. The University Grants Commission (for short, 'the UGC') is in appeal against the judgment and order passed by the High Court of Judicature at Madras, whereby the High Court while upholding the right and primacy of the UGC to make regulations for conducting distance education programmes also held that the degrees issued to the students enrolled in distance learning programmes pursuant to the various interim orders passed by the High Court will be valid.

3. While issuing notice, this Court by order dated 05.07.2023 directed as under:

“Learned Solicitor General seeks to contend that though the impugned judgment is in their favour, the grievance made is in respect of the last sentence of paragraph 52 opining that the students who have already undergone the courses pursuant to the interim orders of this court will not be affected. In this behalf, learned Solicitor General submits that the judgment of this Court in *Orissa Lift Irrigation Corporation Ltd. vs. Rabi Sankar Patro & Ors.*, (2018) 1 SCC 468 in paragraphs 48 and 66.7 has dealt with this aspect.

On examination, we find that the matter in

issue in that matter was related to technical degrees. In order to better appreciate the spectrum of the case, we would like the petitioners to file an affidavit setting out which are the degrees which are in question so that if necessary we can segregate the aspect of some courses for which the impugned judgment may survive but may require interference for others.

Learned Solicitor General submits that since this was an unregulated sector, full information itself may not be available with the UGC and it will be appropriate to issue notice to the respondent universities to disclose the aforesaid aspect.

Let notice issue to the respondents.

A copy of the order to be enclosed so as to facilitate filing of the affidavits confined to the aspect posed by the Court.

We would like to have the view from the Indira Gandhi National Open University/respondent No. 5."

4. This Court in *Orissa Lift Irrigation Corporation Limited v. Rabi Sankar Patro and Ors.*¹, drew a distinction between the technical and non-technical branches of study. Relevant portion of the judgment is as follows:-

"48. Technical education leading to the award of degrees in Engineering consists of imparting of lessons in theory as well as practicals. The practicals form the backbone of such education which is hands-on approach involving actual application of principles taught in theory under the watchful eyes of demonstrators or lecturers. Face to face imparting of knowledge in theory classes is to be reinforced in practical classes. The practicals, thus, constitute an integral part of the technical education system. If this established concept of imparting technical education as a qualitative norm is to be modified or altered and in a given case to be substituted by distance education learning, then as a

1 (2018) 1 SCC 468.

concept AICTE ought to have accepted it in clear terms. What parameters ought to be satisfied if the regular course of imparting technical education is in any way to be modified or altered, is for AICTE alone to decide. The decision must be specific and unequivocal and cannot be inferred merely because of absence of any guidelines in the matter. No such decision was ever expressed by AICTE. On the other hand, it has always maintained that courses leading to degrees in Engineering cannot be undertaken through distance education mode. Whether that approach is correct or not is not the point in issue. For the present purposes, if according to AICTE such courses ought not to be taught in distance education mode, that is the final word and is binding—unless rectified in a manner known to law. Even National Policy on Education while emphasising the need to have a flexible, pattern and programmes through distance education learning in technical and managerial education, laid down in Para 6.19 that AICTE will be responsible for planning, formulation and maintenance of norms and standards including maintenance of parity of certification and ensuring coordinated and integrated development of technical and management education. In our view, whether subjects leading to degrees in Engineering could be taught in distance education mode or not is within the exclusive domain of AICTE. The answer to the first limb of the first question posed by us is therefore clear that without the guidelines having been issued in that behalf by AICTE expressly permitting degree courses in Engineering through distance education mode, the deemed to be universities were not justified in introducing such courses.

66.7 As regards students who were admitted after the academic sessions 2001-2005, their degrees in Engineering awarded by the deemed to be universities concerned through distance education mode stand recalled and be treated as cancelled. All benefits secured by such candidates shall stand withdrawn as indicated in para 59 above. However, the entire amount paid by such students to the deemed to be universities concerned towards tuition fees and other expenditure shall be returned by the deemed to be universities concerned by 31-5-2018, as indicated in para 59."

5. We have heard learned Solicitor General on behalf of the UGC, learned counsel appearing on behalf of the Annamalai University and other learned counsels who have filed applications for impleadment.

6. In similar circumstances, while considering the Review Petition (C) Diary No(s). 13271/2025 in C.A. No. 9694/2024 titled as "*CMJ Foundation & Ors. vs. State of Meghalaya & Ors.*" we have directed that the UGC is the appropriate statutory authority to also consider the consequences of its orders directing annulment of degrees that are illegal. The relevant portion of the order dated 09.12.2025 is as follows:

"1. Heard learned counsel for the parties at length.

2. All the issues arising out of the interlocutory application(s) fall within the domain of the University Grants Commission and it is for the Commission to take an appropriate decision on the matter and implement it. We also make it clear that the University Grants Commission has the authority and jurisdiction to take such action as may be necessary.

3. With these observations, the Review Petition, along with I.A.Nos. 271031 of 2025 and 271032 of 2025, is disposed of."

7. We can dispose of the present appeals with the direction that the respondents-Universities shall furnish the information of the students who had obtained the questionable degrees in the technical branches of study. Upon receipt of the information, the UGC shall take appropriate decision on the basis of principles laid down by this Court in the case of "*Orissa Lift Irrigation Corporation Ltd* (supra).

8. With these observations, the judgment and order passed by the High Court is modified, to the extent as indicated herein above. This order is passed in the facts and circumstances of the case and in exercise of our jurisdiction under Article 142 of the Constitution of India in order to do complete justice.

9. The appeals are disposed of accordingly.

10. Pending application(s) including applications for impleadment shall stand disposed of.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[ALOK ARADHE]

NEW DELHI;
FEBRUARY 09, 2026

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 15406-15427/2023

[Arising out of impugned final judgment and order dated 20-01-2023 in WA No. 606/2015 20-01-2023 in WP No. 27185/2015 20-01-2023 in WP No. 34428/2015 20-01-2023 in WP No. 39602/2015 20-01-2023 in WPMD No. 10992/2015 20-01-2023 in WP No. 2750/2016 20-01-2023 in WP No. 26088/2016 20-01-2023 in WP No. 37992/2016 20-01-2023 in WP No. 43404/2016 20-01-2023 in WP No. 7513/2017 20-01-2023 in WP No. 24080/2017 20-01-2023 in WP No. 3784/2018 20-01-2023 in WP No. 3889/2018 20-01-2023 in WP No. 3892/2018 20-01-2023 in WP No. 15203/2018 20-01-2023 in WP No. 16053/2018 20-01-2023 in WP No. 17351/2018 20-01-2023 in WP No. 20290/2018 20-01-2023 in WP No. 11997/2022 20-01-2023 in WP No. 25455/2022 20-01-2023 in WP No. 3890/2018 20-01-2023 in WP No. 3891/2018 passed by the High Court of Judicature at Madras]

THE UNIVERSITY GRANTS COMMISSION & ANR.

Petitioner(s)

VERSUS

ANNAMALAI UNIVERSITY & ORS.

Respondent(s)

IA No. 175453/2024 - INTERVENTION/IMPLEADMENT

Date : 09-02-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ALOK ARADHE

For Petitioner(s) :Mr. Tushar Mehta, Sg, Sr. Adv.
Mr. Manoj Ranjan Sinha, Adv.
Mr. Mrigank Prabhakar, AOR
Mr. Vishal Agrawal, Adv.
Ms. Astha Singh, Adv.

For Respondent(s) :Mr. Romy Chacko, Sr. Adv.
Mr. Ashwin Romy, Adv.
Mr. Sachin Singh Dalal, Adv.
Mr. Joe Sebastrian, Adv.
Mr. Akshat Singh, Adv.
Mr. Anup Kumar, AOR

Mr. Sivagnanam Karthikeyan, Adv.
Mr. Tushar Giri, AOR
Mr. Siddharth Anil Khanna, Adv.

Mr. Ritik Arora, Adv.
Mr. Shivam Mishra, Adv.

Mr. Ritesh Agrawal, AOR
Mr. Sunder Khatri, Adv.
Mr. Sohel Rishabh, Adv.
Mr. Naman Khatri, Adv.
Ms. Priyanshi Sharma, Adv.

Mrs. Rekha Pandey, AOR
Mr. L C Patne, Adv.
Mr. Neerja Patne, Adv.
Ms. Gauri Pandey, Adv.
Ms. Sharmistha Chaudhary, Adv.
Mr. Ritesh Kumar, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The Civil Appeals are allowed in terms of the Signed Order.
3. Pending application(s), if any, shall stand disposed of.

(KAPIL TANDON)
COURT MASTER (SH)

(NIDHI WASON)
ASSTT. REGISTRAR(NSH)

(Signed Order is placed on the file)