

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

THURSDAY, THE EIGHTEENTH DAY OF APRIL,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI DHIRAJ SINGH THAKUR, CHIEF JUSTICE

AND

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

WP NO: 7577 OF 2024



Between:

1. Sri Venkateswara College of Education, Rep., by its Correspondent, G.VenkataSambi Reddy, S/oSomi Reddy, Aged49 Years, Kanuru Village and Post, Penamalum Taluk, krishna District.
2. M.G College of Education, Rep., by its Correspondent Md.Abdul Gaffar A Gori S/o Mahaboob Khan, Aged 60 Years,Cumbum,Prakasam District.
3. Sri Venkata Sai College of Education, Rep., by its Correspondent N.Eswar Reddy S/o YallaReddy, Aged 58 Years, Kandulapuram, Cumbum,Prakasam District.
4. Mahammad Ghorl College of Education, Rep., by its Correspondent Md. Abdul Gaffar A Gori S/o Mahaboob Khan, Aged 60 Years, Cumbum,Prakasam District.
5. S.L.V.College of Education, Rep., by its Correspondent N.Eswar Reddy S/o YallaReddy, Aged 58 Years, Kandulapuram, Cumbum,Prakasam District.
6. Palle Venkata Reddy B.Ed College, Rep., by its Correspondent PalleVenkata Reddy S/o Veera Reddy, Aged 48 Years, Giddalur, Prakasam District.
7. Karthik B.Ed College, Rep., by its Correspondent CVN Prasad, S/O Venkateswarlu, Age.48 Years, Taticherla, Prakasam District.

8. S.S.Mahita College of Education, . Rep., by its Correspondent
G.Venkata Sambhi Reddy, S/o Somi Reddy, Aged 49 Years, Vijayawada,
Krishna District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Higher Education Department, 1st Floor, IVth Block, A.P. Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Secretary, AP Higher Education Regulatory and Monitoring Commission (APHER and MC), Higher Education Department, 3rd Floor, Sree Mahendra SRL Enclave, NRI Block (C-Block), NH-16, Tadepalli, Guntur District-522501, Andhra Pradesh.
3. The Andhra Pradesh State Council of Higher Education (APSCHE), Rep by the Secretary, 3rd, 4th, 5th floors, Neeladri Towers, Sri Ram Nagar, 6th Battalion Road, Atmakur Village, Mangalagiri Mandal, Guntur District, Andhra Pradesh 522503.
4. National Council for Teacher Education (NCTE), Rep. by its Chairperson Head Office- G-7, Sector-10 (Near Sector-10 Metro Station), Dwarka, New Delhi - 110 075.
5. The Regional Director, Southern Regional Committee, National Council for Teacher Education (NCTE), Office- G-7, Sector-10 (Near Sector-10 Metro Station), Dwarka, New Delhi - 110 075.
6. Krishna University , Rep by its Registrar, Machilipatnam Kona Road, Rudravaram, Machilipatnam, Krishna District Andhra Pradesh 521003,.
7. Andhra Kesari University, Rep by its Registrar, Ongole, Prakasam District Andhra Pradesh 523001.

...Respondents

WHEREAS the Petitioners above named through their Advocate Sri PRAKASH BUDDARAPU presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or

direction preferably a Writ in the nature of Writ of Mandamus declaring the action of the 2nd respondent in constituting an inspection committee and conducting inspections on the petitioner Educational Institutions under the guise of Rule 7(2) of Andhra Pradesh Higher Education Regulatory and Monitoring Commission Rules 2019 made thereof to the Andhra Pradesh Higher Education Regulatory and Monitoring Commission Act, 2019 (Act 20/2019) by issuing impugned notices vide Lr.No.293/APHERMC/ADMN/2024, dated.4.03.2024, Lr.No.231/APHERMC/ADMN/2024, dated 23.2.2024, Lr.No.227/APHERMC/ADMN/2024, dated 23.2.204, Lr.No.232/APHERMC/ADMN/2024, dated 23.2.2024, Lr.No.225/APHERMC/ADMN/2024, dated.23.2.2024, Lr.No.208/APHERMC/ ADMN/2024, dated.22.2.2024 and Lr.No. 217/APHERMC/ADMN/2024, dated. 22.2.2024 respectively, as arbitrary, illegal, unsustainable, violation of Article 14 and 19 (1) (g) of the Constitution of India and consequently to declare the Rule 7(2) of Andhra Pradesh Higher Education Regulatory and Monitoring Commission Rules 2019 as invalid, ultra vires to Section 12 to 13 of the National Council for Teacher Education Act, 1993 r/w Rule 8 of the National Council for Teacher Education Rules, 1997 and to set aside the same duly declaring the inspections done so far as without any authority of law;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Prakash Buddarapu, Advocate for the Petitioners and GP for Higher Education for the Respondent No.1 and Sri C.Anand, Standing Counsel for the Respondent No.2 and Ms.S.Parineeta, Standing Counsel for the Respondent No.3 and Sri Hemanth Kumar, Standing Counsel for the Respondent Nos.4 & 5 and Sri T.S.N.Sudhakar, Standing Counsel for the Respondent No.6, directed issue of notice to the Respondent No.7 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

The Registrar, Andhra Kesari University, Ongole, Prakasam District Andhra Pradesh 523001.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 20.06.2024, on which date the case stands posted for hearing.

The Court made the following:

ORDER:

“Service waived by the learned Government Pleader for Higher Education for respondent No.1.

Sri C. Anand, learned Standing Counsel, waives service for respondent No.2.

Ms. S. Parineeta, learned Standing Counsel, waives service for respondent No.3.

Sri Hemanth Kumar, learned Standing Counsel, waives service for respondent Nos.4 and 5.

Sri T.S.N.Sudhakar, learned Standing Counsel, waives service for respondent No.6.

Objections be filed.

Notice to respondent No.7.

Personal notice on respondent No.7 is permitted.

List on 20.06.2024.”

Sd/- B.Chitti Joseph

ASSISTANT REGISTRAR

//TRUE COPY//



For ASSISTANT REGISTRAR

To,

1. The Registrar, Andhra Kesari University, Ongole, Prakasam District
Andhra Pradesh 523001. (by RPAD- along with a copy of petition and affidavit)
2. One CC to Sri. Prakash Buddarapu, Advocate [OPUC]

3. Two CCs to GP for Higher Education, High Court of Andhra Pradesh.
[OUT]

4. One CC to Sri C.Anand, Standing Counsel [OPUC]

5. One CC to Ms.S.Parineeta, Standing Counsel [OPUC]

6. One CC to Sri Hemanth Kumar, Standing Counsel [OPUC]

7. One CC to Sri T.S.N.Sudhakar, Standing Counsel [OPUC]

8. Two spare copies

MM

HIGH COURT

HC,J

&

RRR,J

DATED:18/04/2024

NOTE: LIST ON 20.06.2024

NOTICE BEFORE ADMISSION

WP.No.7577 of 2024

