

[3330]

IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SIXTH DAY OF JUNE
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 9094 OF 2024



Between:

Global College of Engineering and Technology, Rep by its Secretary Cum Correspondent, Komma Ram Pavan Reddy, Having its office at Chennur road, Chinnamachupalli, YSR District, Andhra Pradesh-516162.

Petitioner

AND

1. The State of Andhra Pradesh, rep by its Principal Secretary, Higher Education Department Secretariat, Tullur, Velagapudi, Guntur District, Andhra Pradesh
2. Jawaharlal Nehru Technological University, Rep by its Registrar, Anantapur.
3. Jawaharlal Nehru Technological University, Rep by its Vice Chancellor, Anantapur.
4. The Andhra Pradesh Higher Education Regulatory and Monitoring Commission, Government of Andhra Pradesh, Rep by its Member Secretary, 3rd Floor, Sree Mahendra Enclave, NRI Block (C-Block), NH-16, Tadepalli, Guntur District - 522501
5. The Convenor and DTE APEAPCET 2023 - Admissions, F.No.301, Garudadri K.K Towers, Lakshmi Narasimha Colony, Mangalagiri, Guntur-522503.

C.T. is amended as per the Court Order dt.24.06.2024 vide orders passed in I.A.No.03 of 2024.

Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ more in the nature of Writ of Mandamus declaring the action of the 2nd Respondent Registrar in issuing the Circular, vide Lr.No.DE/JNTUA/Examination Branch/CI/ Remittance of fee towards common services rendered by the University/2023-2024, dated 19.01.2024 with attached enclosure, whereby demanding the Petitioner's Institution to pay the amount of Rs.55,07,250/- towards University Common Services Fee (UCSF) for the academic years 2018-24, without any legal sanction or without disclosing any statutory Rule for making such a demand as being arbitrary, illegal and violative of Articles 14 and 19(1)(g) of the Constitution of India besides being in contravention of the Jawaharlal Technological University Act, 2008 and consequently set aside the impugned circular, dated. 19.01.2024.

IA NO: 1 OF 2024

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the Circular, vide Lr.No.DE/JNTUA/Examination Branch/CI/ Remittance of fee towards common services rendered by the University/2023-2024, dated 19.01.2024, issued by the 2nd Respondent, pending disposal of Writ Petition No. 9094 of 2024, on the file of the High Court.

IA NO: 2 OF 2024

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the 2nd Respondent University to restore the name of the Petitioner's Institution on the Web Portal of the University

enabling it to take part in the counseling scheduled from May 2024, pending Writ Petition, and also issue NOC for Started new courses, additional intake, Change name for sanction of new college etc in the interest of justice, pending disposal of Writ Petition No. 9094 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI.N.RUPESWAR REDDY Advocate for the Petitioner, GP for Higher Education for Respondent No.1, Sri.I.Madhu Babu, Standing Counsel for Respondent Nos.2 & 3 and Sri.C.Sudesh Anand, Standing Counsel for Respondent Nos.4 & 5, the Court made the following.

ORDER:

Heard.

Considering the submissions and on perusal of the material on record, this Court is of prima facie opinion that there shall be an interim direction directing the respondents to issue 'No Objection Certificate' to the petitioner institution without insisting for University Common Service Fee.

Post the matter after three weeks for filing counter.

SD/- N.NAGAMMA
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Higher Education Department, State of Andhra Pradesh, Secretariat, Tullur, Velagapudi, Guntur District, Andhra Pradesh

2. The Registrar, Jawaharlal Nehru Technological University, Anantapur.
3. The Vice Chancellor, Jawaharlal Nehru Technological University, Anantapur.
4. The Member Secretary, Andhra Pradesh Higher Education Regulatory and Monitoring Commission, Government of Andhra Pradesh, 3rd Floor, Sree Mahendra Enclave, NRI Block (C-Block), NH-16, Tadepalli, Guntur District - 522501
5. The Convenor and DTE APEAPCET 2023 - Admissions, F.No.301, Garudadri K.K Towers, Lakshmi Narasimha Colony Mangalagiri, Guntur-522503. (1 TO 5 by RPAD)
6. One CC to SRI.N.RUPESWAR REDDY Advocate [OPUC]
7. Two CCs to GP FOR HIGHER EDUCATION, High Court of Andhra Pradesh. [OUT]
8. One CC to Sri.C.Sudesh Anand, Standing Counsel (OPUC)
9. One CC to Sri.I.Madhu Babu, Standing Counsel (OPUC)
10. **One spare copy**

SRL

HIGH COURT

TRR,J

DATED:26/06/2024

NOTE: POST THE MATTER AFTER THREE WEEKS

ORDER

WP.No.9094 of 2024

INTERIM DIRECTION

