

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD-
WRIT PETITION NO: 11173 OF 2025



Between:

1. Sri Sri Sri Mookambika Educational Society, Vaagdevi Institute of Technology Science Represented by its Secretary Correspondent Gopavaram Hussain Reddy, S/o. Prajapathi Reddy, aged 59 years, Peddasettipally, Proddatur, YSR Kadapa District.
2. Bharat Educational Society, (Golden Valley Integrated Campus), Represented by its Secretary, Neerugatti Venkataramana Reddy S/o Neerugatti Ramakrishna Reddy, Aged 55 years, Kadirir Road, Angallu, Madanapalle, Annamayya District.
3. KM M Educational Society, (KMM Institute of Technology Science) Represented by its Secretary
4. Bheema Educational Society, Represented by its Secretary S/o. P.N. Raja Sekhar Reddy, Aged 46 years, Adoni, Kurnool District. P.N. Vishnuvardhan Reddy,
5. Damisetty Srinivasa Naidu Educational Society (DBS Institute of Technology), Represented by its Correspondent Damisetty Sudheer Naidu S/o. Srinivasa Naidu, aged 63 years, Kavali, SPSR Nellore District.

...Petitioners

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Higher Education Department, Secretariat Buildings, Velagapudi, Thullur Mandal, Amaravati, Guntur District.

2. The Andhra Pradesh Higher Education Regulatory and Monitoring Commission, Represented by its Member Secretary, 3rd Floor, Sree Mahendra Enclave, NRI Block, C-Block, NH15, Tadepalli, Guntur District.
3. Jawaharlal Nehru Technological University, Ananthapur, (JNTUA) Ananthapuramu District, Rep by its Registrar.
4. The Director, Academic Audit, Jawaharlal Nehru Technological University, Ananthapur, (JNTUA) Ananthapuramu District.
5. The Controller of Examinations, Jawaharlal Nehru Technological University, Ananthapur, (JNTUA) Ananthapuramu District.

...Respondents

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 an appropriate Writ more in the nature of Writ of MANDAMUS declaring the action of the Respondent University in insisting the Petitioners (Colleges) to pay the Common Services Fees for Grant of Temporary/Permanent/Renewal of Permanent Affiliation for the Academic year 2025-2026 and for issuing Examination Material vide Emails dated 18-03-2025 and 23-04-2025 without any authority or basis or any proceedings as being illegal, arbitrary and violative of Articles 14 and 19(1)(g) of the Constitution of India and contrary to the Andhra Pradesh Higher Education Regulatory and Monitoring Commission Act, 2019 (for short the Act), the Andhra Pradesh Higher Education Regulatory and Monitoring Commission Rules, 2019 (for short the Rules) in insisting to pay the Common Services Fees for Grant of Temporary/Permanent/Renewal of Permanent Affiliation for the academic year 2025-2026 and for collecting examination material by sending emails to the Petitioners institutions as being illegal, arbitrary and violative of Articles 14 and 19(1)(g) of the Constitution of India and the Andhra Pradesh Educational Institutions (Regulation of Admissions and Prohibition of Capitation Fee) Act, 1983, the Andhra Pradesh Higher Education Regulatory and Monitoring Commission Act, 2019 and the Andhra Pradesh Higher

Education Regulatory and Monitoring Commission Rules, 2019 and consequently direct the Respondent University not to insist for any amounts towards the alleged University Common Services Fees etc., unless prescribed in accordance with the law.

IA NO: 1 OF 2025

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent University to forthwith grant Affiliation to the Petitioners Colleges by sending fact finding Committee and so also issue examination material to the Petitioners without insisting for any Common Services Fees demanded vide Emails dated 18.03.2025 and 23.04.2025 without any authority or basis or any proceedings, Pending disposal of WP 11173 of 2025, 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 M R K CHAKRAVARTHY Advocate for the Petitioners, and of GP FOR HIGHER EDUCATION, for the Respondent No.1, and of SRI VIVEKANANDA VIRUPAKSHA, Standing Counsel for the Respondent No.2, and of SRI I.MADHU BABU, Standing Counsel for the Respondent No.3, the Court made the following

ORDER:

Heard Sri M.R.K. Chakravarthy, learned Counsel for the Writ Petitioners, Sri G. Ramachandra Rao, learned Government Pleader for Higher Education appearing for the Respondent No.1, Sri Vivekananda Virupaksha, learned Standing Counsel for the Respondent No.2 and Sri Madhu Babu, learned Standing Counsel for the Respondent No.3.

2. Learned Counsel for the Writ Petitioners has drawn the attention of this Court to the Order passed by the learned Single Judge

of this Court dated 05.12.2023 in W.P.No.32909 of 2022 and batch. It is submitted by the learned Counsel for the Writ Petitioners that the learned Single Judge of this Court had disposed of batch of Writ Petitions by issuing certain directions in para 23 of the said Order.

3. Sri Vivekananda Virupaksha, learned Standing Counsel for the Respondent No.2, would submit that the said Order has been challenged in an intra Court Appeal in Writ Appeal No.182 of 2024 and batch. He would submit that these Writ Appeals have been heard. It is submitted that the Division Bench of this Hon'ble Court has reserved the matter for rendering judgement.

4. *Prima facie*, it appears to the Court that since the Common Order passed by the learned Single Judge of this Court dated 05.12.2023 in W.P.No.32909 of 2022 and batch is in favour of the present Writ Petitioners, the balance of convenience lies in favour of the Writ Petitioners.

5. Accordingly, there shall be a stay of the Impugned Proceedings dated 18.03.2025 (Ex.P.1), 23.04.2025 (Ex.P.2), till the next listing.

6. Both the learned Counsel are directed to place on record the Order in the Writ Appeals in W.A.Nos.182 of 2024 and batch, as and when it is pronounced.

7. Let Counter Affidavit be filed within four weeks. Two weeks thereafter for filing Re-joinder.

8. Registry is directed to print the name of Sri Madhu Babu as learned Standing Counsel for Respondent No.3 in the Cause list.

9. Tag these Writ Petitions with W.P.Nos.11106 & 11156 of 2025 and list on 16.07.2025.

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SD/-SK MD RAFI
ASSISTANT REGISTRAR

SECTION OFFICER

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To,

1. The Principal Secretary, Higher Education Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Thullur Mandal, Amaravati, Guntur District. **(by Special Messenger)**
2. The Member Secretary, Andhra Pradesh Higher Education Regulatory and Monitoring Commission, 3rd Floor, Sree Mahendra Enclave, NRI Block, C-Block, NH15, Tadepalli, Guntur District.
3. The Registrar, Jawaharlal Nehru Technological University, Ananthapur, (JNTUA) Ananthapuramu District.
4. The Director, Academic Audit, Jawaharlal Nehru Technological University, Ananthapur, (JNTUA) Ananthapuramu District.
5. The Controller of Examinations, Jawaharlal Nehru Technological University, Ananthapur, (JNTUA) Ananthapuramu District. **(Addressees 2 to 5 by RPAD)**
6. One CC to SRI. M R K CHAKRAVARTHY Advocate [OPUC]
7. Two CCs to GP FOR HIGHER EDUCATION ,High Court of Andhra Pradesh. [OUT]
8. One CC to SRI VIVEKANANDA VIRUPAKSHA, Standing Counsel [OPUC]
9. One CC to SRI I.MADHU BABU, Standing Counsel [OPUC]
10. **One spare copy**

PSR

HIGH COURT

GRKP,J

DATED:30/04/2025

NOTE: Tag these Writ Petitions with W.P.Nos.11106 & 11156 of 2025 and list on 16.07.2025.

ORDER

WP.No.11173 of 2025

INTERIM STAY

