

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



**TUESDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION NO: 11156 OF 2025**

Between:

1. Shaik Dada Saheb Charitable Trust,
(Eswar College of Engineering),
Represented by its Secretary & Correspondent,
Shaik Kareem Mohiddin,
S/o. Meera Vali, aged 42 years,
Kesanupalli Village, Narasaraopet,
Guntur District.

2. Venkata Ramana Charitable Trust,
(Tirumala Institue of Technology and Sciences),
Represented by its Secretary & Correspondent,
Ravela Satyanarayana,
S/o. Sydaiah, aged 70 years,
Jonnalagadda, Narasaraopet,
Guntur District.

3. Nalanda Educational Society,
(Nalanda Institute of P.G Studies),
Represented by its Chairman,
Arimanda Varaprasada Reddy,
S/o. Venkateswara Reddy, aged 69 years,
Siddharth Nagar, Kantepudi,
Sattenepalli, Guntur District.

4. Nalanda Educational Society,
(Varaprasada Reddy Institute of Technology),
Represented by its Chairman,
ArimandaVaraprasadaReddy
S/o. VenkateswaraReddy, Aged 69 years,
Siddharth Nagar, Kantepudi Village,
Sattenepalli, Guntur District.

5. Sri Velaga Educational Society,
(Velaga Nageswara Rao College of Engineering),
Represented by its Secretary,
Smt. Velaga Naga Kalyani,
W/o. Velaga Padmarao, aged 51 years,
Chinralpudi Village, Ponnur,
Guntur District.

6. G V R & S Educational Society
(GVR & S College of Engineering & Technology),
Represented by its Secretary & Correspondent
Gangineni Sailaja, W/o. Gangineni Venkateswara Rao,
Aged 66 years, Vidya Nagar,
Chandramoulinagar, Guntur District.

7. Santhinikethan Minority Educational Society
(Loyola Institute of Technology & Management),
Represented by its Director,
Eeda Vamsi Krishna Reddy,
S/o. Rajasekhar Reddy, aged 37 years,
Sattenapalli Main Road, Dhulipalla,
Guntur District.

8. SRK Foundation,
(Vijaya Institute of Technology for Women),
Represented by its Secretary,
Srinivasa Sri Krishna Boyapati,
S/o. Srinivasa Appa Rao, Aged 52 years,
Enikepadu, Vijayawada
Krishna District.

9. Sri Sivakameswari Educational Society,
Mandava Institute of Technology & Science,
Represented by its Secretary,
Mandava Sridhar, S/o. Venkateswararao,
Aged 47 years, Vidya Nagar,
Jaggiahpet, Krishna District.

10. Sunflower Educational Society,
(Sri Sunflower College of Engineering & Technology),
Represented by its Secretary & Correspondent,
M.D.V.S.R. Punnam Raju,
S/o. Venkata Raju, aged 58 years,
Ghantasala Mandal, Lankapalli, Krishna District.

11. Guruvindapalli Devanandam Mary Memorial Trust,
(GDMM Memorial College of Engineering & Technology),
Represented by its Correspondent,
GuruvindapalliVara Prasad Rao,
S/o. Devanandam, aged 75 years,
Nandigama, Krishna District.

12. Adarsh Educational Society,
Adarsh College of Engineering,
Represented by its Chairman,
B AnuBabu, S/o. Vallem Nageswara Rao,
Aged 49 years, Chebrolu,
East Godavari District.

13. Churches of Christ Society,
(Lenora College of Engineering),
Represented by its Principal,
Dhanarasi Gowtham,
S/o. Syam Sundar, aged 35 years,
Rampachodavaram, Alluri Sitaramaraju District.

14. Anna Educational Society,
(Krishna Chaitanya Institute of Technology & Science),
Represented by its Secretary & Correspondent,
Anna Krishna Chaitanya,
S/o. Venkata Rambabu, aged 39 years,
Devarajugattu, Peddaaraveedu,
Markapur, Prakasam District.

15. VHR Educational Society,
(Indira Institute of Technology & Science),
Represented by its Principal,
Manya Madhu Raghavendra,
S/o. Sree Ramulu, aged 42 years,
Kurnool, Kurnool District.

16. Islamic Educational and Cultural Society,
(A1 Global Institute of Engineering & Technology),
Represented by its Correspondent,
Shai Mahammad Rafi, S/o. Shaik Baban Saheb,
Aged 45 years, Markapur, Prakasam District.

17. ABR Educational Society,
(ABR College of Engineering & Technology)

(6)

Represented by its Chairman,
Avula Basireddy, S/o Musala Reddy,
Aged 59 years, Kanigiri,
Prakasam District.

18. Atluri Mastan Reddy Educational Society,
(AM Reddy Memorial College of
Engineering & Technology),
Represented by its Secretary,
Smt. Atluri Santhi, W/o. Atluri Srinivasa Reddy,
Aged 50 years, Petlurivaripalem,
Narasaraopet, Palnadu District.

19. Sri Gayathri Educational Society,
(Helapuri Institute of Technology & Science),
Represented by its Principal,
Smt. Musunuri Lavanya,
W/o. Suryadevara Mohan Babu Chowdary,
Aged 37 years, Vegavaram,
Denduluru, Eluru, Eluru District.

20. Koundinya Educational Society,
(GIET Engineering College),
Represented by its Principal,
Meriga Vijaya Sekhar Babu,
S/o. Sessaiah, aged 47 years,
Rajahmahendravaram,
East Godavari District.

21. Kranthi Educational Society,
(Kakinada Institute of Technological Sciences),
Represented by its Director,
Meka Vamsi Pavan Kumar,
S/o. Venkateswara Rao, aged 59 years,
Ramachandrapuram,
Dr. B.R. Ambedkar Konaseema District.

22. Sri Krishna Environmental and Educational Society
(West Godavari Institute of Science and Engineering)
Represented by its Secretary & Correspondent,
Akula Trimurthy, S/o. Venkata Swamy,
Aged 60 years, Avapadu, Prakasraopalem,
East Godavari District.

23. Paladugu Mangamma Memorial Trust,
(Paladugu Parvathi Devi College of
Engineering & Technology),
Represented by its Principal
Kolla Krishna Murthy, S/o. Rangaiah,
Aged 65 years, Surampalli, Gannavaram,
Nuzvid Road, Krishna District.

24. Governing Body of Ideal College
of Arts and Science Society,
(Ideal Institute of Technology),
Represented by its Secretary,
Palepu Surya Sundara Kiran,
S/o. Satyanarayana Sarma (late), Aged 55 years,
Vidyut Nagar, Kakinada,
Kakinada District.

And

.....Petitioners

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. The Jawaharlal Nehru Technological University,
Kakinada (JNTUK) Rep. by the Registrar,
Kakinada.

...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 issuing the Circulars vide. (a) Lr.No.DAA/B1/Certificate Verification (UG and PG)/2024-25, dated 26-03-2025 and Lr.No.DAA/B1/Certificate of Verification (UG and PG)/2024-25, dated 15-04-2025 and in insisting the Petitioner Colleges as applicable to pay the 'Common Services Fee' for Certificate Verification-cum-Admission Ratification for the Academic Year 2024-2025. (b) Lr.No.JNTUK/DAA/B1/Renewal of Affiliation/2025-2026, dated 15-04-2025 and in insisting the Petitioner Colleges as applicable to pay Common Services Fee for Grant of Temporary/Permanent/Renewal of Permanent Affiliation for the academic years 2025-2026. as 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 quash the above Circulars to the extent of insisting the Petitioner Colleges to pay the 'Common Services Fee' and also direct the Respondent University not to insist for any Fee towards the alleged University Common Services 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 suspend the Circulars vide i) Lr.No.DAA/B1/Certificate Verification (UG & PG)/2024-25, dated 26-03-2025, ii) Lr.No.DAA/B 1 /Certificate of Verification (UG & PG)/2024-25, dated 15-04-2025 and iii) Lr.No.JNTUK/DAA/B1/ Renewal of Affiliation/2025-2026, dated 15-04-2025

issued by the Respondent University to the extent of insisting the Petitioner College to pay the "Common Services Fee", Pending disposal of WP 11156 of 2025, on the file of the High Court.

IA NO: 2 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 conduct Certificate of Verification cum Admission Ratification for the Academic Year 2024-2025 and grant Affiliation to the Petitioners Colleges by sending Fact finding Committee forthwith without insisting the Petitioners colleges for Common Services Fee, Pending disposal of WP 11156 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 Respondent No.1, Sri Vivekananda Virupaksha, learned Standing Counsel for the Respondent No.2 and Sri Madhu Babu, learned Standing Counsel for 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.

3. 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.

4. 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.

5. 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 Petitioner, the balance of convenience lies in favour of the Writ Petitioner.

6. Accordingly, there shall be a stay of the Impugned Proceedings dated 26.03.2025 (Ex.P.1), 15.04.2025 (Ex.P.2) and 15.04.2025 (Ex.P.3), till the next listing.

7. 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.

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

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

10. List these matters on 16.07.2025.

//TRUE COPY//

For ,

Sd/- K.TATA RAO
DEPUTY REGISTRAR

SECTION OFFICER
REGISTRAR

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, Kakinada (JNTUK), Kakinada. **(Addressees 2 & 3 by RPAD)**
4. One CC to SRI. M R K CHAKRAVARTHY Advocate [OPUC]
5. Two CCs to GP FOR HIGHER EDUCATION ,High Court of Andhra Pradesh. [OUT]
6. One CC to SRI VIVEKANANDA VIRUPAKSHA, Standing Counsel [OPUC]
7. One CC to SRI I.MADHU BABU, Standing Counsel [OPUC]
8. **One spare copy**

PSR

HIGH COURT

GRKP,J

DATED:29/04/2025

NOTE: LIST THESE MATTERS ON 16.07.2025.

ORDER

WP.No.11156 of 2025

INTERIM DIRECTION

