

[3328]

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

FRIDAY, THE NINTH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HON'BLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 12940 OF 2025



Between:

1. Sree Veera Venkata Satyanarayana Educational Society, NadimpalliPrasada Raju, S/o. Satyanarayana Raju, aged 45 years, Sontyam, Pendurthi-Anandapuram Highway, Visakhapatnam District. College Name. Nadimpalli Satyanarayana Raju Institute of Technology.
2. Sarada Educational Trust, Represented by its Principal, RugadaVaikuntaRao, S/o Ramulu(late), aged 57 years, Anakapalle, Visakhapatnam District. College Name. Dadi Institute of Engineering and Technology.
3. Ambedkar Educational Trust, Represented by its Principal, Boyidi Poorna Satyanarayana S/o. Tata Rao, aged 59 years, PothinamallayyaPalem, Visakhapatnam District. College Name. Baba Institute of Technology and Science.
4. Varaha Lakshmi Narasimha Swamy Educational Trust, Represented by its Chairman, GorleSaryanarayana, S/o GorleAppala Naidu, aged 68 years, 57th Division, Narava, Visakhapatnam District. College Name. Visakha Institute of Engineering and Technology.
5. Sai Dhamam Educational Trust, Represented by its Chairman, PeddireddyMadhusudana Rao, S/o PedireddyVenkataramiah(late), Aged 64 years, Seethammadhara, Visakhapatnam District. College Name. Lendi Institute of Engineering and Technology.
6. Sri Aditya Educational Society, Represented by its Director, V.V. Nageswara Rao, S/o Satyanarayana, aged 55 years, K.Kotturu, Tekkali.

Srikakulam District. College Name. Aditya Institute of Technology and Management.

7. Sri Sivani Educational Society, Represented by its Joint Secretary, PenmetsaDurga Prasad Raju, S/o. Venkata Gopala Krishnam Raju, Aged 59 years, Chilakapalem (Jn), Etcherla Mandal, Srikakulam District College Name. Sri Sivani College of Engineering.
8. MANAS Trust, Represented by its Director, Kalidindi Venkata Lakshmipathi Raju, S/o Ramakrishnam Raju, aged 61 years, Vijayaram Nagar campus, Chintalavalasa, Vizianagaram District. College Name. MVGR College of Engineering.
9. Raghu Educational Society, Represented by its Chairman, Kalidindi Raghu, S/o. Bangar Raju, Aged 64 years, Maharanipeta, Visakhapatnam District, College Name. Raghu Engineering College.

... 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 SreeMahendra Enclave, NRI Block, C-Block, NH15, Tadepalli, Guntur District.
3. Jawaharlal Nehru Technological University, Vizianagaram, (JNTUGV) Vizianagaram District, Vizianagaram. Represented by its Registrar.

... 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 Respondent University in issuing the Circulars vide Lr.No.DAA/JNTUGV/Renewal of Affiliation/2025- 26, dated 21-04-2025 and Lr.No. DAA/JNTUGV/ Affiliation Fee Structure/2024-25, dated

06-06-2025 in insisting the Petitioner Colleges as applicable to pay the 'Common Services Fee and Affiliation Fee' for Grant of Temporary/Permanent/Renewal of Permanent Affiliation for the academic year 2025-2026 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 quash the above Circulars to the extent of insisting the Petitioner Colleges to pay the 'Common Services Fee and Affiliation 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 Circulars vide Lr.No.DAA/JNTUGV/Renewal of Affiliation/2025-26, dated 21-04-2025 in insisting the Petitioner Colleges as applicable to pay the "Common Services Fee and Affiliation Fee" for Grant of Temporary/Permanent/Renewal of Permanent Affiliation for the academic year 2025-2026 issued by the Respondent University to the extent of insisting the Petitioner College to pay the "Common Services Fee and Affiliation Fee", Pending disposal of WP 12940 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 grant Affiliation to the Petitioners Colleges by sending fact finding committee forthwith without insisting the Petitioners colleges for Common Services Fee and Affiliation fee, Pending disposal of WP 12940 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 Petitioner, GP FOR HIGHER EDUCATION for the Respondent No.1, Sri Vivekananda Virupaksha Standing Counsel for respondent no.2, and the Court made the following.

ORDER

“Heard Sri M.R.K. Chakravarthy, learned Counsel for the Writ Petitioners; Sri K. Ram Babu, learned Counsel appearing on behalf of Sri Sri Vijay Mathukumilli, learned Counsel for Writ Petitioner/s in W.P.No.13201 of 2025; Sri N. Ashwani Kumar, learned Standing Counsel for JNTU and Kakinada and Sri Vivekananda Virupaksha, learned Standing Counsel for APHERMC.

2. It is clarified in all these matters, the Interim Order passed by this Court shall only be confined to the University Common Services Fee but shall not be applicable to any other Fee under any other Head. Insofar as Common Services Fee is concerned, the same shall be subject to the final result in the present Writ Petitions. ✓

3. Insofar as the issue of Affiliation Fee raised by the Writ Petitioner in W.P.No.11106 of 2025 is concerned, it is noticed that this aspect has not been dealt with by this Court earlier, and therefore, it requires consideration. Therefore, the Writ Petitioner would do well in paying the concerned Fee to the University, subject to the final result in the Writ Petition.

4. Let Counter Affidavit be filed within four weeks. Two weeks thereafter for filing Rejoinder, if any.

5. Tag W.P.No. 10633 of 2024 along with these batch of matters and list on 12.08.2025."

//TRUE COPY//

SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

SECTION OFFICER

1/5

To,

1. The Principal Secretary, Higher Education Department, State Of Andhra Pradesh, Secretariat Buildings Velagapudi, Thullur Mandal, Amaravati, Guntur District.
2. The Member Secretary, Andhra Pradesh Higher Education, Regulatory and Monitoring Commission, 3rd Floor SreeMahendra Enclave, NRI Block, C-Block, NH15, Tadepalli, Guntur District.
3. Jawaharlal Nehru Technological University, Vizianagaram, (JNTUGV) Vizianagaram District, Vizianagaram. Represented by its Registrar. (1 to 3 by RPAD)
4. One CC to SRI. M R K CHAKRAVARTHY Advocate [OPUC]
5. One CC to Sri Vivekananda Virupaksha Standing Counsel [OPUC]
6. Two CCs to GP FOR HIGHER EDUCATION ,High Court Of Andhra Pradesh. [OUT]
7. One spare copy

ksr

HIGH COURT

GRKP, J

DATED:09/05/2025

Tag W.P.No. 10633 of 2024 along with these batch of matters and list on
12.08.2025

ORDER

WP.No.12940 of 2025

DIRECTION

