

[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: 13201 OF 2025

Between:

1. Annamacharya Institute Of Technology And Sciences, Rep by its Secretary Sri. Choppa Gangi Reddy Chintakomma Dinne Village and Mandal, YSR District, Andhra Pradesh.
2. SVR Engineering College, Rep by its Secretary Sri. Sanivarapu Venkata Rami Reddy Ayyaluru, Nandyal Mandal, Kurnool District, Andhra Pradesh
3. Brindavan Institute of Technology and Science, Rep by its Secretary Sri. S. Narayana Reddy Peddatekuru, Kallur, Kurnool District, Andhra Pradesh.

... 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. The Andhra Pradesh Higher Education, Regulatory and Monitoring Commission Represented by its Member Secretary, Floor, Sree Mahendra Enclave, NRI Block, C-Block, NH15, Tadepalli, Guntur District.

4. Jawaharlal Nehru Technological University, Rep by its Registrar Ananthapur, (JNTUA) Ananthapuramu District,
5. The Director, Academic Audit, Jawaharlal Nehru Technological University, Ananthapur, (JNTUA) Ananthapuramu District.
6. The Controller of Examinations, Jawaharlal Nehru Technological University, Ananthapur, (JNTUA) Ananthapuramu District.

.... 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 insisting the Petitioners (Colleges) to pay the Common Services and Affiliation 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, 23-04-2025 and 30-04-2025 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 and Affiliation 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 and Affiliation Fees etc., unless prescribed in accordance with the law.

IA NO: 1 OF 2025

Petition under Section 151 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 and Affiliation Fees demanded vide Emails dated 18-03-2025, 23-04-2025 and 30-04-2025 without any authority or basis or any proceedings, Pending disposal of WP 13201 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 VIJAY MATHUKUMILLI Advocate for the Petitioner, GP FOR HIGHER EDUCATION for the Respondent No.1, Sri V.Vivekananda Virupaksha, Standing Counsel for respondent nos.2 to 3, Sri D.Krishna Standing Counsel for respondent nos.4 to 6, 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."

Sd/- K.TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

For /

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

6. The Controller of Examinations, Jawaharlal Nehru Technological University, Ananthapur, (JNTUA) Ananthapuramu District.(1 to 6 by RPAD)
7. One CC to SRI. SRI VIJAY MATHUKUMILLI Advocate [OPUC]
8. One CC to Sri V.Vivekananda Virupaksha, Standing Counsel [OPUC]
9. One CC to Sri D.Krishna Standing Counsel, Standing Counsel [OPUC]
10. Two CCs to GP FOR HIGHER EDUCATION ,High Court Of Andhra Pradesh. [OUT]
11. **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.13201 of 2025

DIRECTION

