



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

MONDAY, THE EIGHTH DAY OF JULY ✓
TWO THOUSAND AND TWENTY FOUR/

:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO
WRIT PETITION NO: 13756 OF 2024

Between:

1. Eswar College of Engineering, Rep. by its Secretary and Correspondent, Shaik Kareem Mohiddin, S/o. Meera Vali, aged 42 years, Kesanupaili Village, Narasaraopet, Guntur District.
2. Sai Tirumala NVR Engineering College, Rep. by its Secretary and Correspondent, Ravela Satyanarayana, S/o. Sydaiah, aged 70 years, Jonnalagadda, Narasaraopet, Guntur District.
3. Nalanda Institute of P.G Studies, Rep. by its Chairman, Arimanda Varaprasada Reddy, S/o.Venkateswara Reddy, aged 69 years, Siddharth Nagar, Kantepudi, Sattenepalli, Guntur District.
4. Varaprasada Reddy Institute of Technology, Rep. by its Chairman, ArimandaVaraprasada Reddy S/o. Venkateswara Reddy, Aged 69 years, Siddharth Nagar, Kantepudivillage, Sattenepalli, Guntur District.
5. Velaga Nageswara Rao College of Engineering, Rep. by its Secretary, Smt. Velaga Naga Kalyani, W/o. Velaga Padmarao, aged 51 years, Chinralpudi Village, Ponnur, Guntur District.
6. GVR and S College of Engineering and Technology, Rep. by its Secretary and Correspondent Gangineni Sailaja, W/o. Gangineni Venkateswara Rao, Aged 66 years, Vidya Nagar, Chandramoulinagar, Guntur District.
7. Loyola Institute of Technology and Management, Rep. by its Director, Eeda Vamsi Krishna Reddy, S/o. Rajasekhar Reddy, aged 37 years, Sattenapalli Main Road, Dhulipalla, Guntur District.

8. KITS Akshar Institute of Technology, (Previously Guntur Engineering College) Rep. by its Chairman, Koye Subbarao, S/o. Punna Rao, aged 52 years, Yanamadala, Guntur Guntur District.
9. KITS Akshar Institute of Technology, (Previously Guntur Engineering College) Rep. by its Chairman, Koye Subbarao, S/o. Punna Rao, aged 52 years, Yanamadala, Guntur Guntur District.
10. Vijaya Institute of Technology for Women, Rep. by its Secretary, Srinivasa Sri Krishna Boyapati, S/o. Boyapati Srinivasa Appa Rao, Aged 52 years, Enikepadu, Vijayawada Krishna District.
11. Mandava Institute of Technology and Science, Rep. by its Secretary, Mandava Sridhar, S/o. Venkateswararao, aged 47 years, Vidya Nagar, Jaggaiahpet, Krishna District.
12. Sri Sunflower College of Engineering and Technology, Rep. by its Secretary and Correspondent, M.D.V.S.R. Punnam Raju, S/o. Venkata Raju, aged 58 years, Ghantasala Mandal, Lankapalli, Krishna District.
13. GDMM Memorial College of Engineering and Technology, Rep. by its Correspondent, Guruvindapalli Vara Prasad Rao, S/o. Devanandam, aged 75 years, Nandigama, Krishna District.
14. Adarsh College of Engineering, Rep. by its Chairman, B AnuBabu, S/o. Vallem Nageswara Rao, Aged 49 years, Chebrolu, East Godavari District.
15. Lenora College of Engineering, Rep. by its Principal, Dhanarasi Gowtham, S/o. Syam Sundar, aged 35 years, Rampachodavaram, East Godavari District.
16. Krishna Chaitanya Institute of Technology and Science, Rep. by its Secretary and Correspondent, Anna Krishna Chaitanya, S/o. Venkata Rambabu, aged 39 years, Devarajugattu, Peddaaraveedu, Markapur, Prakasam District.
17. Indira Institute of Technology and Science, Rep. by its Principal, KandulaRajasekhara Reddy, S/o. Narayana Reddy, aged 33 years, Darimadugu Village, Markapur Mandal, Prakasam District.

18. A1 Global Institute of Engineering and Technology, Rep. by its Correspondent, Shai Mahammad Rafi, S/o. Shaik Baban Saheb, aged 45 years. Markapur, Prakasam Distr
19. ABR College of Engineering and Technology, Rep. by its Chairman, Avula Basireddy, S/o Musala Reddy, Aged 59 years, Kanigiri, Prakasam District.
20. AM Reddy Memorial College of Engineering and Technology, Represented by its Secretary, Smt. Atluri Santhi, W/o. Srinivasa Reddy Atluri, Aged 50 years, Petiurivaripalem, Narasaraopet, Palnadu District.
21. Helapuri institute of Technology and Science, Represented by its Principal, Smt. Musunuri Lavanya, W/o. Suryadevara Mohan Babu Chowdary, Aged 37 years, Vegavaram, Denduluru, Eluru, Eluru District.
22. GIET Engineering College, Represented by its Principal, Meriga Vijaya Sekhar Babu, S/o. Sessaiah, aged 47 years, Rajamahendravaram, East Godavari District.
23. Kakinada Institute of Technological Sciences, Rep. by its Director, Meka Vamsi Pavan Kumar, S/o. Venkateswara Rao, aged 59 years, Ramachandrapuram, Dr. B.R. Ambedkar Konaseema District.
24. West Godavari Institute of Science and Engineering, Rep. by its Secretary and Correspondent, Akula Trimurthy, S/o. Venkata Swamy, aged 60 years, Avapadu, Prakasraopalem, East Godavari District.
25. Paladugu Parvathi Devi College of Engineering and Technology, Rep. by its Principal Kolia Krishna Murthy S/o. Rangaiah, aged 65 years, Surampalli, Gannavaram, Nuzvid Road, Krishna District.
26. Ideal Institute of Technology, Represented by its Secretary, Palepu Surya Sundara Kiran, S/o. Satyanarayana Sarma (late). Aged 55 years, Vidyut Nagar, Kakinada, Kakinda District.
27. Dr. Paul Raj College of Engineering, Rep. by its Secretary, Chebrolu Zachariah, S/o. Yesupadam, aged 63 years, Nellipaka, Yatapaka, East Godavari District.

28. Vikas Group of Institutions, Rep. by its Chairman, Nardela Narsi Reddy, S/o. Muthareddy, aged 57 years, Nunna, NTR District.
29. Sri Sarathi Institute of Engineering and Technology, Rep. by its Principal, Suraneni Sridhar, S/o. Satyanarayana, aged 46 years, Mylavaram Road, Nuzivid, Krishna 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. The Jawaharlal Nehru Technological University, Kakinada (JNTUK) Rep. by the Registrar, Kakinada.

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 Third Respondent University in insisting the Petitioner College to pay the Common Services Fee to Grant/Renewal of Temporary Affiliation and Permanent Affiliation for the academic years 2024-2025 Lr.No.JNTUK/JDAA/Renewal of Affiliation dated vide Circulars vide (1) 17.05.2024, (2) Lr.No.JNTUK/DAA/AICTE PCI- EoAs/ 2024-2025 dated 28.5.2024, (3) Lr.No.JNTUK/DAA/Revised/Renewal of Affiliation/ 2024-2025 dated 05.06.2024 (4) Lr.No. JNTUK/DAA/AICTE EoAs/ 2024-2025 dated 10.06.2024 and (5) Lr.No. JNTUK/DAA/ Online FFC Portal/2024-2025 dated 10.06.2024 and in not sending the fact finding committee for grant of affiliation

and admission of counseling and in refusing to furnish the particulars of the Petitioner Colleges to the APECET admission counseling starting from 01-07-2024 as illegal, arbitrary and violative of Articles 14 and 19(1)(g), 265 of the Constitution of India and contrary to 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 (for short Act), the Andhra Pradesh Higher Education Regulatory and Monitoring Commission Rules, 2019 and consequently quash the above Circulars to the extent of insisting the Petitioner College to pay the Common Services Fee and also direct the Respondent University to forthwith send fact finding committee for grant of Temporary Affiliation and Permanent Affiliation to the Petitioner Colleges and furnish particulars of the Petitioner Colleges to the admission counseling.

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 Circulars vide (1) Lr.No.JNTUK/DAA/Renewal of Affiliation dated 17.05.2024, (2) Lr.No.JNTUK/DAA/AICTE PCI-EoA's/ 2024-2025 dated 28.5.2024, (3) Lr.No.JNTUK/DAA/ Revised/ Renewal of Affiliation /2024-2025 dated 05.06.2024, (4) Lr.No. JNTUK/DAA/ AICTE EoA's/ 2024-2025 dated 10.06.2024 and (5) Lr.No. JNTUK/DAA/ Online FFC Portal/2024-2025 dated 10.06.2024 issued by the Third Respondent University to the extent of insisting the Petitioner College to pay the Common Services Fee, pending disposal of W.P.No.13756 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 Respondent University to forthwith send fact finding committee for grant of Temporary Affiliation and Permanent Affiliation to the Petitioner Colleges and furnish the particulars of the Petitioner Colleges for counselling and also give endorsement on the admission data of 2023-24 academic years to the Convener, APECET-2024 Admissions to enable the Petitioner colleges to participate in the APECET-2024 Admissions starting from 01-07-2024, pending disposal of WP 13756 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.M.R.K.CHAKRAVARTHY Advocate for the Petitioners, GP for Higher Education for Respondent No.1, Sri.C.Sudesh Anand, Standing Counsel for Respondent No.2 and Sri.I.Madhu Babu, Standing Counsel for Respondent No.3, the Court made the following.

ORDER:

Learned standing counsel for the University stated that affiliation was not cancelled and allowing the colleges to participate in the admission counseling.

In view of the admission made by the respondent No.3 orally, there shall be an interim direction directing the respondent – University to consider the case of the petitioners for grant of affiliation on payment of requisite fee for affiliation only and thereafter permit the petitioners-

colleges to participate in the Admission Counselling, pending the Writ Petition.

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SD/- S.SRINIVASA PRASAD
ASSISTANT REGISTRAR
SECTION OFFICER

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. The Registrar, Jawaharlal Nehru Technological University, Kakinada (JNTUK) Kakinada. (1 to 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.C.Sudesh Anand, Standing Counsel (OPUC)
7. One CC to Sri.I.Madhu Babu, Standing Counsel (OPUC)
8. One spare copy

SRL



HIGH COURT

TRR,J

DATED:08/07/2024

NOTE: POST THE MATTER AFTER TWO (2) WEEKS

ORDER

WP.No.13756 of 2024

INTERIM DIRECTION

