



**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: 13751 OF 2024**

**Between:**

1. Gonna Institute of Information, Technology and Sciences, Rep. by its Secretary, Gonna Hem Chand Naidu, S/o. G.B. Naidu, aged 24 years, Gannavanipalem, Aganampudi, Anakapalle District.
2. Satya Institute of Technology, And Management (SITAM), Rep. by Joint Secretary, Majji Sashi Bhushana Rao, S/o Majji Ramarao, aged 59 years, Gajularega, Vizianagaram District.
3. Visakha Institute of Engineering and Technology, Rep. by its Chairman, Gorle Saryanarayana, S/o Gorle Appala Naidu, aged 68 years, 57<sup>th</sup> Division, Narava, Visakhapatnam District.
4. Sri Sivani College of Engineering, Rep. by its Joint Secretary, Penmetsa Durga Prasad Raju, S/o. Venkata Gopala Krishnam Raju, Aged 59 years, Chilakapalem (Jn), Etcherla Mandal, Srikakulam 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, 3<sup>rd</sup> Floor, Sree

Mahendra Enclave, NRI Block, C-Block, NH15, Tadepalli, Guntur District.

3. Jawaharlal Nehru Technological University, Vizianagaram, (JNTUGV) Vizianagaram District, Vizianagaram. Rep 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 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 vide Circular vide Lr.No.DAAO/JNTUGV/Renewal of Affiliation/2024-25 dated 06-06-2024 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 counselling.

**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 Circular vide Lr.No.DAAO/JNTUGV/Renewal of Affiliation/2024-25 dated 06-06-2024 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.13751 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 13751 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.

//TRUE COPY//

For

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 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 Registrar, Jawaharlal Nehru Technological University, Vizianagaram, (JNTUGV) Vizianagaram District, Vizianagaram. (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.13751 of 2024

INTERIM DIRECTION

