

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: 13752 OF 2024

Between:-

1. Vasireddy Venkatadri Institute of Technology,
Rep. by its Chairman,
Vasireddy Vidya Sagar,
S/o. Appa Rao, aged 61 years,
Nambur, Pedakakani,
Guntur District.

2. Swarnandhra College of Engineering
& Technology, Rep. by its Vice-Chairman,
Satrasala Kirti Kumar,
S/o. Ramesh Babu(late), aged 43 years,
Seetharampuram, Narsapur,
West Godavari District.

3. NRI Institute of Technology,
Rep. by its Secretary,
A. Rajendra Prasad,
S/o. Siva Rama Krishnaiah, aged 64 years,
Pothavarappadu, Guntur District.

4. Usha Rama College of Engineering
& Technology, Rep. by its Chairman,
Sunkara Ramabrahmam,
S/o. Suryanarayana, aged 79 years,
NH-16, Telaprolu, Ungutur Mandalam,
Krishna District.

5. SRK Institute of Technology,
Rep. by its Secretary,
Srinivasa Sri Krishna Boyapati,
S/o Srinivasa Appa Rao, aged 52 years,
Enikepadu, Vijayawada,
Krishna District.

6. Amrita Sai Institute of Science and

(4)

Technology, Rep. by its Correspondent,
Kudaravalli Rama Mohana Rao,
S/o Purnaiah, aged 68 years,
Paritala, Kanchikacherla,
Krishna District.

7. MVR College of Engineering,
Rep. by its Chairman,
Muthavarapu SrinivasaBabu,
S/o. Venkateswara Rao, aged 61 years,
Paritala, Kanchikacherla,
Krishna District.

8. Lingayas Institute of Management
And Technology, Rep. by its Chairman,
Gadde Rajling, S/o. G.V.K. Sinha,
Aged 60 years, Viveka Nagar,
Madalavarigudem,
Krishna District.

9. SreeVahini Institute of Science
& Technology, Rep. by its Secretary,
Vutukuru Subrahmanyam,
S/o. Vutukuru Lakshmana Rao,
Aged 53 years, Nadim Tiruvuru,
Krishna District.

10. Lakireddy Bali Reddy College of Engineering
Rep. by its President,
GurrallaSrinivasa Reddy,
S/o. Ranga Reddy, aged 53 years,
L.B.Reddy Nagar, Mylavaram,
Krishna District.

11. Sri Vasavi Institute of Engineering
& Technology
Rep. by its Correspondent
Kaky Kumar Babu,
S/o. Kaky Satyanarayana Murthy,
Aged 73 years, Nandamuru,
PedanaMandal, Krishna District.

12. NRI Institute of Technology,
Rep. by its Chairman,
Ravi Venkat Rao

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S/o. Ravi Kondaiah, aged 51 years,
Pothavarappadu, Agiripalli Mandal,
Vijayawada Rural,
Krishna District.

13. DVR & DR.HS MIC College of Technology
Rep. by its Director
Sreenivasa Rao Maganti
S/o Ramachandrarao, aged 56 years,
Kanchikacherla,
Krishna District.

14. BVC Engineering College Odalarevu,
Rep. by its Secretary,
BonamKanakayya,
S/o. BonamChatamayya, aged 64 years,
AllavaramMandal,
East Godavari District.

15. BVC institute Tech & Science,
Bhatlapalem Amalapuram,
Represented by its Secretary,
BonamKanakayya,
S/o BonamChatamayya, aged 64 years,
BVC College Road, Amalapuram,
East Godavari District.

16. BVC College of Engineering,
Rep. by its Secretary,
Bonam Kanakayya,
S/o Bonam Chatamayya, aged 64 years,
Palacharla Village, Rajanagaram Mandal,
East Godavari District.

17. Godavari Institute of Engineering
& Technology, Rep. by its Principal
Pothukuchi Mohana Murali Subrahmanya,
S/o. Nageswara Rao, aged 56 years,
Rajahmahendravararam,
East Godavari District.

18. Pragati Engineering College,
Rep. by its Director,
Meka Venkata HaranathaBabu,
S/o. V.V.Subbarao, aged 63 years,

Surampalem, Kakinada.
East Godavari District.

19. International School of Technology
And Science for Women,
Rep. by its Secretary & Correspondent
Kallem Upender Reddy,
S/o. Sudharshan Reddy, aged 40 years,
Rajanagaram,
East Godavari District.

20. Prakasam Engineering College,
Rep. by its Secretary & Correspondent,
Dr. Kancharla Ramaiah,
S/o Singaiah, aged 72 years,
Kandukur, S.P.S.R Nellore District.

21. QIS college of Engineering and Technology,
Rep. by its Principal,
Yarrapathruni Venkata Hanumantha Rao,
S/o. Venkata Rao, aged 56 years,
Vegamukkapalem, Ongole
Prakasam District.

22. Rise Krishna Sai Prakasam Group of Institutions
Rep. by its Treasurer
Sri. Siddha Venkata Naga Satya Bharath
S/o Venkateswara Rao, aged 40 years,
NH – 5, Valluru, Ongole,
Prakasam District.

23. Rise Krishna Sai Gandhi Group of Institutions,
Rep. by its Treasurer,
Siddha Venkata Naga Satya Bharath
S/o Venkateswara Rao, aged 40 years,
NH-16, Vallur, Ongole,
Prakasam District.

24. Narsaraopeta Engineering College,
Rep. by its Chairman,
Mittapalli Venkata Koteswararao,
S/o. Venkateswarlu, aged 77 years.
Yellamanda(P), Narsaraopeta,
Palnadu District.



25. Sri Mittapalli College of Engineering,
Rep. by its Chairman
Mittapalli Venkata Koteswararao,
S/o Venkateswarlu, aged 77 years,
Yellamanda(P), Narsaraopeta,
Palnadu District.
26. KKR & KSR Institute of Technology & Sciences
Rep. by its Chairman
Koye Subbarao,
S/o Punna Rao, aged 52 years,
Vinjanampadu, Guntur,
Guntur District.
27. Kakinada Institute of Technology
& Science, DIVILI
Rep. by its Chairman,
Betineedi Srinivasa Rao,
S/o Subbarao, aged 59 years,
Tirupati Village, Divili,
Peddapuram Mandal,
Kakinada District.
28. Tirumala Engineering College,
Rep. by its Secretary & Correspondent
Ravela Satyanarayana,
S/o. Sydaiah, aged 70 years,
Jonnalagadda Village, Narasaraopet,
Guntur District.
29. Ramachandra College of Engineering,
Rep. by its Secretary,
Korrapati Venugopal
S/o. Venkataratnam, aged 54 years,
Valturu, Eluru,
Eluru District.
30. Vikas College of Engineering & Technology.
Rep. by its Chairman,
Nardela Narsi Reddy,
S/o. Muthareddy, aged 57 years,
Nunna, Vijayawada Rural,
NTR District.
31. Malineni Suseelamma Women's

Engineering College, Rep. by its Chairman, Malineni Perumallu, S/o. Lakshmaiah, aged 44 years, Pulladigunta, Guntur District.

32. Malineni Lakshmaiah Womens Engineering College, Rep. by its Chairman, Malineni Perumallu, S/o. lakshmaiah, aged 44 years, Pulladigunta, Guntur District.

33. Aditya Engineering College, Rep. by its Secretary, Padala Bhaskara Reddy, S/o. Padala Krishna Murthy, Aged 83 years, Aditya Nagar, ADB Road, Surampalem, East Godavari District.

34. Aditya College of Engineering & Technology, Rep. by its Vice Chariman, Nallamalli Satish Reddy, S/o Seshareddy Nalamilli, aged 42 years, Aditya Nagar, ADB Road, Surampalem, East Godavari District.

35. Aditya College of Engineering, Rep. by its Vice Chariman, Nallamalli Satish Reddy, S/o. Seshareddy Nalamilli, aged 42 years, Aditya Nagar, ACB Road, Surampalem, East Godavari 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 vide Circulars vide (1) Lr.No.JNTUK/DAA/Renewal of Affiliation dated 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 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 (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 WP 13752 of 2024, on the file of the High Court.

A NO: 2 OF 2024

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 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 13752 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 and of GP FOR HIGHER EDUCATION for Respondent No.1 and of Sri Ch. Sudesh Anand, Standing Counsel for Respondent No.2 and of 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//

SD/- B.CHITTI JOSEPH
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, Sree Mahendra Enclave, NRI Block, C-Block, NH15, Tadepalli, Guntur District. **(Addressee Nos. 1 and 2 by SPECIAL MESSENGER)**
3. The Registrar, Jawaharlal Nehru Technological University, Kakinada (JNTUK) Kakinada. (by RPAD)
4. One CC to SRI M R K CHAKRAVARTHY Advocate [OPUC]
5. One CC to SRI CH.SUDESH ANAND, Standing Counsel [OPUC]
6. One CC to SRI I.MADHU BABU, Standing Counsel [OPUC]
7. Two CCs to GP FOR HIGHER EDUCATION, High Court of Andhra Pradesh. [OUT]
8. One spare copy.

PSD



HIGH COURT

TRR,J

DATED:08/07/2024

NOTE: POST THE MATTER AFTER TWO (02) WEEKS

ORDER

WP.No.13752 of 2024

INTERIM DIRECTION

