

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: 13731 OF 2024

Between:

1. Nadimpalli Satyanarayana Raju Institute of Technology, Rep. by its Secretary, Nadimpalli Prasada Raju, S/o. Satyanarayana Raju, aged 45 years, Sontyam, Pendurthi-Anandapuram Highway, Visakhapatnam District.
2. N.S. Raju Institute of Engineering Technology, Rep. by its Secretary, Nadimpalli Prasada Raju, S/o. Satyanarayana Raju, aged 45 years, Dakamarri, Bheemunipatnam, Visakhapatnam District.
3. Dadi Institute of Engineering and Technology, Rep. by its Principal, Rugada Vaikunta Rao, S/o. Ramulu(late), aged 57 years, Anakapalle, Visakhapatnam District.
4. Baba Institute of Technology & Science, Rep. by its Principal, Boyidi Poorna Satyanarayana S/o. Tata Rao, aged 59 years, PothinamallayyaPalem, Visakhapatnam District.
5. Aditya Institute of Technology & Management, Rep. by its Director, V.V. Nageswara Rao, S/o. Satyanarayana, aged 55 years, K.Kotturu, Tekkali, Srikakulam District.
6. GMR Institute of Technology, Rep. by its Director, Dr. J. Girish, S/o. Ramarao, aged 55 years GMR Nagar, Rajam, Vizianagaram District.
7. MVGR College of Engineering, Rep. by its Director, Kalidindi Venkata Lakshmi pathi Raju, S/o. Ramakrishnam Raju, aged 61 years, Vijayaram Nagar campus, Chintalavalasa, Vizianagaram 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. 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 Circulars 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 grounds filed in support of the 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 WP 13731 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 grounds 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 13731 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 the Respondent No.1 and of Sri S. ANAND, Standing Counsel for

Respondent No.2 and of Sri P. VENU GOPAL, 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 counselling.

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.”

Sd/- B. CHITTI JOSEPH
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Higher Education Department, Secretariat Buildings Velagapudi, Thullur Mandal, Amaravati, Guntur District, State of Andhra Pradesh
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. **(1&2 BY SPECIAL MESSENGER)**
3. The Registrar, Jawaharlal Nehru Technological University, Vizianagaram, (JNTUGV) Vizianagaram District, Vizianagaram. (by RPAD)

4. One CC to SRI. M R K CHAKRAVARTHY Advocate [OPUC]
5. One CC to SRI. S. ANAND, Standing Counsel [OPUC]
6. One CC to SRI. P. VENU GOPAL, Standing Counsel [OPUC]
7. Two CCs to GP FOR HIGHER EDUCATION ,High Court Of Andhra Pradesh. [OUT]
8. One spare copy



HIGH COURT

TRR,J

DATED:08/07/2024

POST THE MATTER AFTER TWO (2) WEEKS

ORDER

WP.No.13731 of 2024

INTERIM DIRECTION

