

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

FRIDAY, THE TWELFTH DAY OF JULY,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 14665 OF 2024 /



Between:-

1. Lendi Institute of Engineering & Technology
Represented by its Chairman
Sri. Pedireddy Madhusudana Rao,
S/o Peddireddy Venkataramaiah(late),
Aged 63 years, Dendaka,
Vizianagaram District, Andhra Pradesh- 535005
2. Vignan Institute of Information Technology
Represented by its Principal Sri. Jyothula Sudhakar,
S/o Jyothula Arjuna, aged 43 years,
Besides VSEZ, Duvvada, Vadlapudi(Po),
Gajuwaka Visakhapatnam District,
Andhra Pradesh - 530049.
3. Vignan Institute of Engineering for Women
Represented by its Principal Smt. Baratam Arundhati,
W/o. Voonna Ramakrishna, Aged 56 years,
Gajuwaka, Visakhapatnam District,
Andhra Pradesh -530049
4. Vignan Institute of Pharmaceutical Technology
Represented by its Principal
Shri. Yarguntla Srinivasa Rao
S/o Yarraguntla Narasimha Rao, aged 48 years,
is living at VSEZ, Kapujaggraju Peta
Duvvada Visakhapatnam -530049, Andhra Pradesh.
5. Vignans's Lara Institute of Technology & Science
Represented by its Principal
Sri. Kopparthi Phaneendra Kumar

C/o Pothu Raju, aged 53 years, Guntur Tenali Road,
Vadlamudi, Guntur District, Andhra Pradesh 522213.

6. Vignan Pharmacy College
Represented by its Principal
Sri. Puttagunta Srinivasa Babu
S/o Puttagunta Ramachandra Rao, aged 52 years,
Vadlamudi, Guntur, Guntur District,
Andhra Pradesh 522213.
7. Vignan's Nirula Institute of Technology & Science
Represented by its Principal
Smt. Paturi Radhika
W/o Nalabolu Govinda Roy Vishnu Sri,
aged 51 years, Pedapalakaluru,
Guntur District, Andhra Pradesh 522009.
8. Kakinada Institute of Technology & Science, DIVILI
Represented by its Chairman Sri. Betineedi Srinivasa Rao
S/o Subbarao, aged 59 years, Tirupati (V), Divili,
Peddapuram Mandal, Kakinada District,
Andhra Pradesh-533433
9. BVC Engineering College
Represented by its Secretary
Sri. Bonam Kanakayya
S/o Bonam Chatamayya, aged 64 years,
Allavaram Mandal, East Godavari District,
Andhra Pradesh-533210.
10. BVC institute Tech & Science,
Bhatlapalem Amalapuram
Represented by its Secretary
Sri. Bonam Kanakayya
S/o Bonam Chatamayya, aged 64 years,
BVC College Road, Amalapuram,
East Godavari District, Andhra Pradesh - 533221.
11. BVC College of Engineering,
Represented by its Secretary
Sri. Bonam Kanakayya,
S/o Bonam Chatamayya, aged 64 years,
Palacharla (V), Raj anagaram (M), Raj ahmundry,
East Godavari District, Andhra Pradesh - 533102

12. Godavari Institute of Engineering & Technology
Represented by its Vice Chairman .
Sri. K. Sasi Kiran Varma
S/o V V Satyanarayana Raju, aged:42: years,
Rajahmundry. East Godavari District.
Andhra Pradesh- 533293.
13. GIET Engineering College
Represented by its Vice Chairman.
Sri. K. Sasi Kiran Varma
S/o V V Satyanarayana Raju, aged 42 years,
Rajahmundiy, Andhra Pradesh-.533293.
14. Adarsh College of Engineering
Represented by its Principal .
Sri. Vnllem Srinivasa Rao
S/o Vallem Nageswararao, aged 49 years
Chebrolu, East Godavari District
Andhra Pradesh533449
15. Pragati Engineering College
Represented by its Secretary & Correspondent
Sri. Paruchuri Krishna Rao,
S/o Venkata Rao, aged 63 years,
Surampalem, Kakinada,
East Godavari District,
Andhra Pradesh.
16. Aditya Engineering College
Represented by its Secretary
Sri Padala Bhaskara Reddy
S/o Padala- Krishna Murthy,, aged 83 years,-
Aditya. Nagar, ADB Road, Surampalem,
East Godavari District, Andhra Pradesh - 533437
17. Aditya College of Engineering & Technology Represented by
its Vice Chairman Sri. Nallamilli Satish Reddy, S/o
SeshareddyNalamilli, aged 42 years, Aditya Nagar, ADB
Road, Surampalem, East Godavari District,
Andhra Pradesh - 533437
18. Aditya College of Engineering Represented by its Vice
Chairman Sri. Nallamilli Satish Reddy, S/o
SeshareddyNalamilli, aged 42 years, Aditya Nagar, ACB
Road, Surampalem, East Godavari District,

Andhra Pradesh 533437.

19. International School of Technology and Science for Women
Represented by its Chairman Sri. Kallem Upender Reddy
S/o Sudharshan Reddy, aged 40 years, Rajanagaram, East
Godavari District, Andhra Pradesh -533294.
20. Ideal Institute of Technology
Represented by its Secretary
Sri. Palepu Surya Sundara Kiran
S/o Palepu Satyanarayana Sarma (late),
Aged 55 years, Vidyut Nagar,
Kakinada East Godavari District,
Andhra Pradesh 533003.
21. Kakinada Institute of Technological Sciences
Represented by its Director
Sri. Meka Vamsi Pavan Kumar
S/o Venkateswara Rao,
aged 59 years, Ramachandrapuram,
Dr. B.R. Ambedkar Konaseema District,
Andhra Pradesh-53325
22. KITS College of Pharmacy for Women
Represented by its Chairman
Sri Betineedi Srinivasa Rao, S/o Subbarao,
Aged 59 years, Divili, Peddapuram Mandal,
Kakinada District, Andhra Pradesh-533433

And

..Petitioners

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, Rep by its Registrar Sri Mokshagundam Vishveshwariah Road, Ananthapuramu, Andhra Pradesh -515002.
4. The Jawaharlal Nehru Technological University,, Kakinada (JNTUK) Rep. by the Registrar, Kakinada, Kakinada District, Andhra Pradesh.
5. Jawaharlal Nehru Technological University, Rep by its Registrar JNTUVizianagaram Village Dwarapudi, Andhra Pradesh - 535003

...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 Circular vide Lr.No.DAAO/A2/Affiliation process-2024/2024 dated 08-06-2024 issued by the 3rd Respondent University, i) Lr. No. JNTUK/DAA/Renewal of Affiliation/2024- 2025 dated 17-05-2024, ii)Lr. No. JNTUK/DAA/AICTE-PCI EoA's/2024-2025 dated 28.05.2024, iii) Lr. No. JNTUK/DAA/Revised/Renewal of Affiliation/2024-2025 dated 05.06.2024, iv) Lr. No. JNTUK/DAA/Online FFC Portal/2024- 2025 dated 10-06-2024 v) Lr No.JNTUK/DAA/AICTEEoA's/2024-2025 dated 10-06-2024 issued by the 4th Respondent University and Lr NO.DAA/JNTUGV/Renewal of Affiliation/2024-25 issued by the 5th Respondent university and in insisting the Petitioner College to university and in insisting the Petitioner College to pay the Common Services Fee to Grant Affiliation for the academic years 2024-2025 without indicating the amount payable towards such fee and in not sending the fact finding committee for grant of affiliation and admission for counseling 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 'Act'), the Andhra Pradesh Higher Education Regulatory and Monitoring Commission Rules, 2019 and consequently quash the Circulars referred to above 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 Circular vide Lr.No.DAAO/A2/Affiliation process-2024/2 dated 08-06-2024 issued by the 3rd Respondent University, i) Lr.No.JNTUK/DAA/Renewal of Affiliation/2024-2025 dated 17-05- 2024, ii)Lr. No. JNTUK/DAA/AICTE-PCI EoA's/2024-2025 dated 28-05-2024, iii) LrNo. JNTUK/DAA/Revised/Renewal of Affiliation/2024-2025 dated 05-06-2024, iv) Lr. NoJNTUK/DAA/Online FFC Portal/2024-2025 dated 10.06.2024 v) Lr. No. JNTUK/DAA/AICTEEoA's/2024-2025 dated 10-06-2024 issued by the 4th Respondent University and Lr.No.DAA/JNTUGV/Renewal of Affiliation/2024-25 issued by the 5th Respondent university to the extent of insisting the Petitioner College to pay the "Common Services Fee" and in not sending the fact finding committee for grant of affiliation and admission for counseling, pending disposal of WP.No.14665 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 Affiliation to the Petitioner Colleges and also furnish the particulars of the Petitioner Colleges to the admission counseling, pending disposal of WP.No.14665 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 Vijay Mathukumilli, Advocate for the Petitioner and GP for Higher Education for the Respondent No.1 and Sri C.Sudesh, Standing Counsel for the Respondent

No.2 and Sri Madhu Babu, Standing Counsel for the Respondent Nos.3 to 5, the Court made the following;

ORDER:

“Heard.

Considering the submissions and on perusal of the material on record, this court is of *prima facie* case is made out hence, that there shall be an interim direction directing the respondents to issue ‘No Objection Certificate’ to the petitioners’ institutions without insisting for University Common Service Fee.

Post the matter along with W.P.No.9094 of 2024.”

M/1
Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

For

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SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Higher Education Department, 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 & 2 by SPECIAL MESSENGER)
3. The Registrar Jawaharlal Nehru Technological University, Sri MokshagundamVishveshwariah Road, Ananthapuramu, Andhra Pradesh -515002.
4. The Registrar, Jawaharlal Nehru Technological University, Kakinada (JNTUK) Kakinada, Kakinada District, Andhra Pradesh.
5. The Registrar, Jawaharlal Nehru Technological University, JNTU Vizianagaram Village Dwarapudi, Andhra Pradesh – 535003 (Addressee Nos.2 to 4 by RPAD)
6. One CC to Sri. Vijay Mathukumilli, Advocate [OPUC]

7. Two CCs to GP for Higher Education, High Court of Andhra Pradesh.
[OUT]
8. One CC to Sri C.Sudesh, Standing Counsel [OPUC]
9. One CC to Sri Madhu Babu, Standing Counsel [OPUC]
10. One spare copy

MM

HIGH COURT

TRR,J

DATED:12/07/2024

NOTE: POST THE MATTER ALONG WITH W.P.No.9094 OF 2024.

ORDER

WP.No.14665 of 2024

DIRECTION

