

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

TUESDAY, THE THIRTY DAY OF APRIL TWO THOUSAND AND NINETEEN

**:PRESENT:
THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER**

WRIT PETITION NO: 9666 OF 2019



Between:

1. Joseph Sriharsha and Mary Indraja Educational Society,, Plot No.102, High Court Colony, Vanasthalipuram, Hyderabad - 500 070, Represented by its Hon. Chairman and Correspondent, Dr. Rev. K.V.K. Rao
2. St. Mary's Group of Institutions Hyderabad, Deshmukhi Village, Pochampally Mandal, Yadadri Bhongir District - 508 284 Telangana Represented by its Hon. Chairman and Correspondent Dr. Rev. K.V.K. Rao
3. St. Marys Engineering College Deshmukhi Village, Pochampally Mandal, Yadadri Bhongir District - 508 284 Telangana Represented by its Hon. Chairman and Correspondent Dr. Rev. K.V.K. Rao
4. St. Mary's Integrated Campus Hyderabad, Deshmukhi Village, Pochampally Mandal, Yadadri Bhongir District - 508 284 Telangana Represented by its Hon. Chairman and Correspondent Dr. Rev. K.V.K. Rao
5. Dr. Rev. K.V.K. Rao, S/o. Late Venkaiah, Aged 58 years, Educationist, Plot No.102, High Court Colony, Vanasthalipuram, Hyderabad - 500070

... Petitioners

AND

1. State of Telangana, Higher Education Department, Secretariat Buildings, Hyderabad Telangana 500001 Rep. by its Principal Secretary
2. Telangana Admission and Fee Regulatory Committee, 2nd Floor, O/o. Telangana State Council of Higher Education, Opp: Mahavir Hospital, Mahavir Marg, Masab Tank Hyderabad - 500028, Rep. by its Secretary.

... Respondents

WHEREAS the Petitioner above named through his Advocate SRICHARAN TELAPROLU presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction, one more particularly in the nature of writ of Mandamus declaring the process of fee fixation initiated by the 2nd respondent statutory body vide notification dated 21.01.2019 to approve the fee proposals to be made by the petitioner institutions for the block years 2019-20 to 2021-22, including its guidelines containing cardinal principles, formulae for fixation of fee, proforma for fee fixation prescribed along with its schedules for submission of the fee proposals is arbitrary and unreasonable, being in excessive exercise of powers conferred on the 2nd respondent under the statutory rules under which the 2nd respondent is constituted and violative of Article 14 and Article 30 (1) of the Constitution of India and consequently direct the 2nd respondent to fix the fee to the petitioner institution duly considering the online fee proposal along with representation dated 27.03.2019 submitted by the petitioner institutions by taking into account the statutory and legal obligations to be complied with by the petitioners for the grant and continuation of approval/affiliation by strictly adhering to the law declared.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri. SRICHARAN TELAPROLU

Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary Higher Education Department, Secretariat Buildings, Principal Secretary Hyderabad Telangana 500001
2. The Secretary Admission and Fee Regulatory Committee, 2nd Floor, O/o. Telangana State Council of Higher Education, Opp.. Mahavir Hospital, Mahavir Marg, Masab Tank Hyderabad – 500028.

Are directed to show cause as to why in the circumstances set out in the petition/appeal and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

The Court made the following ORDER:

Heard. Perused the record.

Notice before admission.

Post after Summer Vacation, 2019.

//TRUE COPY//

Sd/- N. CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary Higher Education Department, Secretariat Buildings, Principal Secretary Hyderabad Telangana 500001
2. The Secretary Admission and Fee Regulatory Committee, 2nd Floor, O/o. Telangana State Council of Higher Education, Opp.. Mahavir Hospital, Mahavir Marg, Masab Tank Hyderabad – 500028. (by RR- 1 to 2 RPAD- along with a copy of petition and affidavit)
3. One CC to SRI. SRICHARAN TELAPROLU Advocate [OPUC]
4. Two CCs to GP FOR HIGHER EDUCATION (TG) ,High Court Of Judicature at Hyderabad. [OUT]
5. One spare copy.

HIGH COURT

DR.SA, J

DATED: 30/04/2019

Post after Summer Vacation, 2019.

NOTICE BEFORE ADMISSION



WP.No.9666 of 2019