

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

**TUESDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

**:PRESENT:
THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI
WP NO: 12517 OF 2026**

Between

1. Kennedy Educational Society, Having regd, office at Sri Sai Colony, Phase-II, Hayathnagar, Hyderabad East Pin No.- 501505 Rep. by its Secretary Sri. Satish Kadiyala
2. KVK College of Pharmacy Sponsored by Kennedy Educational Society, Having regd, office at Sarmaiguda (V), Lashkarguda Grampanchayath, Hayathnagar Mandal , Ranga Reddy Dist. 501512. Rep. by its Secretary Sri. Satish Kadiyala

Petitioners

AND

1. The State of Telangana, Rep by its Principal Secretary, Higher Education Department, Telangana Secretariat, Hyderabad, Telangana-500022.
2. The State of Telangana, Rep by its Principal Secretary, Social Welfare Department, Telangana Secretariat, Hyderabad, Telangana - 500022.
3. The State of Telangana, Rep by its Principal Secretary, Backward Classes Department, Telangana Secretariat, Hyderabad, Telangana-500022.
4. The State of Telangana, Rep by its Special Secretary, Minority Welfare Department, Telangana Secretariat, Hyderabad, Telangana-500022.
5. The State of Telangana, Rep. by its Principal Secretary, Finance Department Telangana Secretariat, Hyderabad, Telangana-500022
6. Commissioner Director of Technical Education, 2nd Floor, Vidya Bhavan Opp. to Latha Talkies, Nampally, Hyderabad, Telangana 500001.
7. Telangana State Council for Higher Education, Rep by its Chairman, Opp. Mahavir Hospital. Masab Tank, Hyderabad-500028.
8. Jawaharlal Nehru Technological University Hyderabad (JNTU), Kukatpally, Hyderabad 500085, Rep. by its Registrar.

Respondents

WHEREAS the Petitioners above named through their Advocate SRI. MADHAVARAPU SIDDHARTHA RAO 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 pass an order or direction or a writ, more specifically a writ in the nature of a Mandamus

a.) Declaring the action of the Respondents in failing to release the admitted amounts payable to the Petitioners under the scheme of Reimbursement of Tuition Fee in respect of SC/ST/BC/EBC/MW students, as being wholly arbitrary, illegal, impermissible, unconstitutional, violative of Articles 14, 19, 21 and 300A of the Constitution of India and in contravention of G.O.Ms. No. 50 dated 26-08-2008, G.O.Ms. No. 102 dated 29-07-2009 and G.O.Ms. No. 66 dated 08-09-2010, and consequently set aside such actions and

b.) Consequently, direct the Respondents to forthwith release the admitted dues payable to the Petitioners under the Reimbursement of Tuition Fee scheme in respect of SC/ST/BC/EBC/MW students, together with interest at such rate as this Hon'ble Court may deem just and appropriate, having regard to the cost of borrowing incurred by the Petitioners on account of the Respondents' default, and further direct the Respondents to ensure timely and regular disbursement of reimbursement amounts for all future academic years

C.) In the alternative, declare that the prohibition imposed on the Petitioners from collecting tuition fee and special fee from SC/ST/BC/EBC/MW students, as contained in G.O.Ms. No. 50 dated 26-08-2008, G.O.Ms. No. 102 dated 29-07-2009 and G.O.Ms. No. 66 dated 08-09-2010, insofar as it operates without ensuring timely and unconditional reimbursement, as being manifestly arbitrary, illegal, unconstitutional, unreasonable, confiscatory in operation, and violative of Articles 14, 19, 21 and 300A of the Constitution of India and strike down the said prohibition or read down the said prohibition so as to permit the Petitioners to collect tuition fee directly from such students or their parents, with a corresponding direction to the Respondents to reimburse the admissible tuition fee directly to the eligible SC/ST/BC/EBC/MW students or their parents in accordance with the scheme.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri. MADHAVARAPU SIDDHARTHA RAO Advocate for the Petitioners, GP FOR HIGHER EDUCATION, for the respondent No.1, GP FOR SOCIAL WELFARE, for the respondent Nos. 2 to 4, GP FOR FINANCE, for the respondent No.5, Sri N Prabhakar Reddy, standing Counsel for the respondent No.7, Sri Mallikarjuna Sharma, standing Counsel for the respondent No.8 and Sri M Srinivas Reddy, standing Counsel for the respondent No. 9, 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, State of Telangana, Telangana Secretariat, Hyderabad, Telangana-500022.

2. The Principal Secretary, Social Welfare Department, State of Telangana, Telangana Secretariat, Hyderabad, Telangana - 500022.
3. The Principal Secretary, Backward Classes Department, State of Telangana, Telangana Secretariat, Hyderabad, Telangana-500022.
4. The Special Secretary, Minority Welfare Department, State of Telangana, Telangana Secretariat, Hyderabad, Telangana-500022.
5. The Principal Secretary, Finance Department State of Telangana, Telangana Secretariat, Hyderabad, Telangana-500022
6. Commissioner, Director of Technical Education 2nd Floor, Vidya Bhavan Opp. to Latha Talkies, Nampally, Hyderabad, Telangana 500001.
7. The Chairman, Telangana State Council for Higher Education, Opp. Mahavir Hospital, Masab Tank, Hyderabad-500028.
8. The Registrar, Jawaharlal Nehru Technological University, Hyderabad (JNTU), Kukatpally, Hyderabad 500085.
9. Osmania University, Osmania University Campus, Hyderabad-500007.

are directed to show cause on or before 30.04.2026 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

I.A. NO: 2 OF 2026

Petition under Section 151 of C.P.C 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 Respondents to forthwith take necessary steps to release and pay the admitted amounts due to the Petitioners under the Reimbursement of Tuition Fee scheme for the SC/ST/EBC/BC/MW students in the said institutions, pending disposal of WP No 12517 of 2026, on the file of the High Court.

The Court made the following:

ORDER

Notice before admission.

Mr. Mallu Nethan Reddy, learned Assistant Government Pleader attached to the Office of the learned Additional Advocate General seeks time to file counter-affidavit.

Mr.Malipeddi Srinivas Reddy, learned Standing Counsel for Osmania University takes notice on behalf of respondent No.9.

List on 30.04.2026.

Heard Mr.Madhavarapu Siddhartha Rao, learned counsel for the petitioners and Mr. Mallu Nethan Reddy, learned Assistant Government Pleader attached to the Office of the learned Additional Advocate General. Perused the record.

Learned counsel for the petitioners submitted that the petitioners-institutions are prohibited from collecting tuition fees directly from parents of eligible students of SC/ST/EBC/BC/MW and other categories, as specified in G.O.Ms.No.50, dated 26.08.2008, G.O.Ms.No.102, dated 29.07.2009, G.O.Ms.No.66, dated 08.09.2010. It is contended that, thereafter, the Government has been consistently failing to reimburse the tuition fee and special fee payable to the petitioners under the Fee Reimbursement Scheme and has not released several crores of rupees admittedly due for the past several years. It is further submitted that even after generation of tokens for certain amounts, the said amounts have not been released by the respondents to the petitioners-institutions.

Learned counsel for the petitioners further submitted that, despite such non-payment, the Government continues to enforce the aforesaid Government Orders prohibiting the collection of fees from the students. On account of such inaction, the petitioners-institutions are stated to be financially crippled and unable to generate the requisite revenue for its day-to-day administration, including payment of salaries to teaching and non-teaching staff.

Learned counsel for the petitioners further submitted that this Court, by order, dated 02.04.2026 passed an interim order in W.P.No.4835 of 2026 and batch in similar matters. The petitioners-institutions in the present writ petition also stand on the same footing as that of the petitioners in the above batch of writ petitions. Accordingly, learned counsel for the petitioners sought for interim direction to permit the petitioners-institutions to collect tuition fees directly from eligible SC/ST/EBC/BC/MW and other categories of students covered under the aforesaid Government Orders, without reference to the said Government Orders, so as to avoid further accumulation of dues from the ensuing academic year 2026-2027 onwards.

On the other hand, the learned Assistant Government Pleader, appearing on behalf of the learned Additional Advocate General, while admitting that amounts are due to the petitioners-institutions, requested time to obtain necessary instructions regarding the timeline for payment and disbursement of such amounts to the petitioners-institutions and also sought time to file counter affidavit.

Having heard the learned counsel appearing on both sides, it is admitted that the amounts are due and payable by the Government to the petitioners-institutions. Nevertheless, there has been no clarity from the learned Assistant Government Pleader as to the timeline within which the payments would be made by the Government to the petitioners-institutions.

Considering the facts and circumstances of the case, this Court is of the *prima facie* view that substantial amounts, running into several crores of rupees, remain due and payable by the Government to the petitioners-institutions for the past several years, causing significant hardship in the administration and functioning of the petitioners-institutions.

Accordingly, as an interim measure, the petitioners-institutions are permitted to collect tuition fees directly from eligible students belonging to SC/ST/EBC/BC/MW and other categories covered under the aforesaid Government Orders, from the academic year 2026-2027 onwards, without reference to the said Government Orders, subject to the outcome of the present Writ Petition. However, it is made clear that, in the event the present Writ Petition is dismissed, the petitioners-institutions shall refund the tuition fees so collected, to the respective students.

Sd/- M.NAGAMANI
ASSISTANT REGISTRAR 24

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Higher Education Department, State of Telangana, Telangana Secretariat, Hyderabad, Telangana-500022.
2. The Principal Secretary, Social Welfare Department, State of Telangana, Telangana Secretariat, Hyderabad, Telangana - 500022.
3. The Principal Secretary, Backward Classes Department, State of Telangana, Telangana Secretariat, Hyderabad, Telangana-500022.
4. The Special Secretary, Minority Welfare Department, State of Telangana, Telangana Secretariat, Hyderabad, Telangana-500022.
5. The Principal Secretary, Finance Department State of Telangana, Telangana Secretariat, Hyderabad, Telangana-500022
6. Commissioner, Director of Technical Education 2nd Floor, Vidya Bhavan Opp. to Latha Talkies, Nampally, Hyderabad, Telangana 500001.
7. The Chairman, Telangana State Council for Higher Education, Opp. Mahavir Hospital, Masab Tank, Hyderabad-500028.
8. The Registrar, Jawaharlal Nehru Technological University, Hyderabad (JNTU), Kukatpally, Hyderabad 500085.
9. Osmania University, Osmania University Campus, Hyderabad-500007. [RR 1 to 9 by SPAD-along with a copy of petition and affidavit]
10. One CC to Sri. MADHAVARAPU SIDDHARTHA RAO Advocate [OPUC]
11. Two CCs. GP FOR HIGHER EDUCATION, High Court at Hyderabad[OUT]
12. Two CCs. GP FOR SOCIAL WELFARE, High Court at Hyderabad[OUT]
13. Two CCs. GP FOR FINANCE, High Court at Hyderabad[OUT]
14. Two CCs. ADDL ADVOCATE GENERAL, High Court at Hyderabad[OUT]
15. One spare copy

HIGH COURT

JS, J

DATED: 21-04-2026

List on 30.04.2026

NOTICE BEFORE ADMISSION

WP.No.12517 of 2026

DIRECTION

