

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE NINETEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

I.A.No.2 OF 2026 IN WP NO: 19116 OF 2026

&

I.A.No.3 OF 2026 IN WP NO.19117 OF 2026

I.A.No.2 OF 2026

IN

WP.No.19116 OF 2026

Between

Vidya Jyothi Institute of Technology, Chilkur Balaji Road, Himayat Sagar Road, Aziznagar, Hyderabad, Telangana 500075. Represented by its authorized signatory Mr. Ravi Venkata Chalam

...Petitioner

(Petitioner in WP NO: 19116 OF 2026
on the file of High Court)

AND

1. The State of Telangana, Represented by its Principal Secretary, Higher Education Department, Secretariat, Hyderabad.
2. Telangana Admission and Fee Regulatory Committee, 2nd Floor, JNA and FAU Campus, Opp. Mahavir Hospital, Mahaveer Marg, Masab Tank, Hyderabad Represented by its Member Secretary.
3. Convenor, TGEAPCET 2026, JNTUH UCESTH, Kukatpally Hyderabad 500085.
4. Convenor, TGE CET 2026, JNTUH UCESTH, Kukatpally Hyderabad - 500085.
5. Telangana State Council for Higher Education, 1st Floor, JNTU Masab Tank Campus, Opp. Mahavir Hospital, Mahaveer Marg, Masab Tank, Hyderabad Represented by its Secretary.
6. Jawaharlal Nehru Technological University, Hyderabad Represented by its Registrar.

...Respondents

(Respondents in-do-)

Counsel for the Petitioner: Sri Avinash Desai, Senior Counsel

representing Sri Sirgapoor Sahil Reddy, Advocate

Counsel for the Respondent No.1: GP FOR HIGHER EDUCATION

Counsel for the Respondent No.2 : Sri G. Chandra Shekar Reddy

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents to permit the Petitioner Institution to collect the fee of Rs. 1,15,000 for the courses of B.Tech which was the fee being charged by the Petitioner Institution in the previous block period, pending disposal of WP No 19116 of 2026, on the file of the High Court.

I.A.No. 3 OF 2026

IN

WP NO: 19117 OF 2026

Between

1. The Gayatri Educational and Cultural Trust, Venkatapur, Ghatkesar, Medchal - Malkajgiri District, Hyderabad, Telangana, India - 500088. Represented by its authorised representative Mr. Anurag Palla
2. Anurag University, Venkatapur Ghatkesar Medchal - Malkajgiri District Hyderabad Telangana India - 500088. Represented by its authorised representative Mr. Anurag Palla

...Petitioners

(Petitioner in WP NO: 19117 OF 2026
on the file of High Court)

AND

1. The State of Telangana, Represented by its Principal Secretary Higher Education Department Secretariat Hyderabad.
2. Telangana Admission and Fee Regulatory Committee, 2nd Floor, JNA and FAU Campus, Opp. Mahavir Hospital, Mahaveer Marg, Masab Tank, Hyderabad Represented by its Member Secretary.
3. Convenor TGEAPCET 2026 JNTUH, UCESTH Kukatpally Hyderabad - 500085.
4. Convenor TGE CET 2026 JNTUH UCESTH, Kukatpally Hyderabad - 500085.
5. Telangana State Council for Higher Education, 1st Floor JNTU Masab Tank Campus Opp. Mahavir Hospital Mahaveer Marg Masab Tank Hyderabad Represented by its Secretary.
6. Jawaharlal Nehru Technological University, Hyderabad Represented by its Registrar.

...Respondents

(Respondents in-do-)

Counsel for the Petitioner: Sri Avinash Desai, Senior Counsel

representing Sri Sirgapoor Sahil Reddy, Advocate

Counsel for the Respondent No.1: GP For Higher Education

Counsel for the Respondent No.2 : Sri G. Chandra Shekar Reddy

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents to permit the Petitioner Institution to collect the fee of Rs. 1,35,000 for the courses of B-Tech which was the fee being charged by the Petitioner

Institution in the previous block period, pending disposal of WP No 19117 of 2026, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case). The Court made the following

ORDER

Heard Mr. Avinash Desai, learned Senior Counsel representing Mr.Sirgapoor Sahil Reddy, learned counsel for the petitioners and Mr. G.Chandra Shekar Reddy, learned Standing Counsel for TAFRC.

Learned Senior Counsel appearing for the petitioners submits that pursuant to the common order, dated 04.05.2026 passed by this Court in W.P.Nos.9189 and 9190 of 2026, whereby the petitioners-institutions were directed to file fresh applications and TAFRC was directed to reconsider their cases for fee fixation, the petitioners-institutions submitted representations, dated 25.05.2026 setting out detailed objections to the fee fixed under G.O.Ms.No.6, dated 04.03.2026 and to the working sheets adopted for computation of fee.

Learned Senior Counsel further submits that a personal hearing was afforded to the petitioners on 15.06.2026. However, within one day of the said hearing, TAFRC issued the impugned letters, dated 16.06.2026 to the petitioners, mechanically rejecting their objections and held that the fee fixed under G.O.Ms.No.6, dated 04.03.2026 holds good. He further submits that the TAFRC, without assigning any reasons whatsoever, reduced the furtherance factor that had consistently been applied to the petitioners-institutions during the earlier block periods. Several expenditure heads, which are mandatory for maintaining the educational standards prescribed by AICTE, have been disallowed. He further submits that TAFRC is empowered only to identify and eliminate components of a proposed fee structure that reflect profiteering or collection of a capitation fee. It is not authorized to disregard or disallow genuine expenditure that is reasonably incurred and necessary for the administration, maintenance, growth and advancement of the institutions.

Learned Senior Counsel further submits that the statement of disallowances contains new heads of expenditure which had never previously been treated as disallowable by TAFRC during earlier block periods. TAFRC also enhanced the disallowances in comparison with the proceedings conducted in February and March, 2025, without issuing any proper notice or assigning valid reasons. He further submits that the student strength considered in the evaluation worksheets includes lateral entry admissions for the block period in a manner contrary to the actual sanctioned intake and actual lateral entry admissions of the institutions, which has a direct and substantial bearing on the fee fixation exercise, as it artificially reduces the per student expenditure by spreading the legitimate expenditure of the institutions over a larger number of students than those actually admitted.

Learned Senior Counsel further submits that the errors are apparent on the face of the record. The impugned letters were issued in a summary manner within one day of the hearing, continuing the fee fixed under G.O.Ms.No.6, dated 04.03.2026, without duly considering the objections raised by the petitioners. It is pointed out that the tuition fee of the petitioners remain unchanged during the block periods from A.Y. 2019-20 to A.Y. 2021-22 and from A.Y. 2022-23 to A.Y. 2024-25. Despite such circumstances, TAFRC has recommended a fee lower than that fixed for the previous two block periods. He further submits that the aforesaid errors have materially affected the fee computation and demonstrate an attempt to arrive at a predetermined fee irrespective of the merits of the case. Such action, is contrary to the quasi-judicial nature of the proceedings, violative of the principles laid down by the Hon'ble Supreme Court and in breach of the directions contained in the common order, dated 04.05.2026 passed by this Court.

Learned Senior Counsel further submits that every private unaided educational institution must have the freedom to fix its own fee structure after taking into account the need to generate funds for running the institution and providing facilities necessary for the benefit of the students. In fact, the institutions are also empowered to collect surplus which can be

used for the betterment and growth of the institutions. He further submits that the counseling process has already commenced today.

In support of his contentions, learned Senior Counsel relied on the judgment of the erstwhile High Court of Andhra Pradesh in Consortium of Engineering Colleges Managements Association (CECMA), Hyderabad and others v. Government of Andhra Pradesh and others [2011 SCC OnLine AP 924] and drawn attention of this Court to paragraph No.147, wherein, it was held as follows:

"147. In the light of the principles evolving from TMA Pai Foundation's case (supra), to PA Inamdar's case (supra) and to sustain the provisions of Section 7 and Rule 4, we consider it appropriate to read down these provisions; (i) as enabling the AFRC to consider institution-specific fee proposals, course-wise on the bases of the parameters indicated in clauses (a) to (e) and (g) of sub-rule (iv) of Rule 4; (ii) to analyze fee proposals to verify whether they incorporate or camouflage any profiteering or capitation fee; and (iii) to approve, modify or alter the fee structure proposed by each institution, only for the purpose of excising pro tanto any element of profiteering or capitation fee. If fee proposals of an institution, duly substantiated by relevant date, audited accounts and balance-sheets, do not incorporate elements of profiteering or capitation fee (on analyses of the proposals within the contours of the guidelines in Rule 4), the AFRC must accept the same. The AFRC cannot transgress the law declared in TMA Pai Foundation's case (supra), Islamic Academy of Education's case (supra) and PA Inamdar's case (supra), (that every institution enjoys the operational autonomy to devise its own fee structure) by resorting to a misconceived mission, of formulating a common fee structure for private unaided educational institutions."

On the strength of the above submissions, learned Senior Counsel prayed this Court to permit the petitioners-institutions to collect the fee fixed for the previous block period i.e., A.Y. 2022-23 to 2024-25 i.e., Rs.1,15,000/- in W.P.No.19116 of 2026 and Rs.1,35,000/- in W.P.No.19117 of 2026, pending disposal of the present writ petitions and further requested this Court to direct the Convener, TG EAPCET, to display in the official website that the fees may be increased to Rs.1,42,000/- and Rs.1,65,000/- respectively, which was tentatively approved by TAFRC during the personal hearings conducted on 10.03.2025 and 25.02.2025 respectively for the block period from A.Y. 2025-26 to A.Y. 2027-28,

subject to the result of the present writ petitions and communicate the same to prospective students seeking admission into the petitioners-institutions, clearly indicating that the fees may be increased to Rs.1,42,000/- and Rs.1,65,000/- respectively in W.P.Nos.19116 and 19117 of 2026, which was tentatively approved by TAFRC during the personal hearings conducted on 10.03.2025 and 25.02.2025 respectively for the block period from A.Y. 2025-26 to A.Y. 2027-28, subject to the outcome of the present writ petitions.

On the other hand, learned Standing Counsel for TAFRC opposed for the grant of any interim relief to the petitioners-institutions.

Having regard to the submissions made by the learned Senior Counsel appearing for the petitioners, in view of the law laid down by the erstwhile High Court of Andhra Pradesh in the aforesaid judgment and considering the fact that the counselling process has already commenced, as an interim measure, this Court is inclined to issue following directions:

(i) The petitioners-institutions are permitted to collect the fee fixed for the previous block period A.Y. 2022-23 to 2024-25 i.e., Rs.1,15,000/- in W.P.No.19116 of 2026 and Rs.1,35,000/- in W.P.No.19117 of 2026 for the A.Y. 2026-27, pending disposal of the present writ petitions.

(ii) The Convener, TG EAPCET, is directed to display in the official website that the fees may be increased to Rs.1,42,000/- and Rs.1,65,000/- respectively for the A.Y. 2026-27 in W.P.Nos.19116 and 19117 of 2026, which was tentatively approved by TAFRC during the personal hearings conducted on 10.03.2025 and 25.02.2025 respectively, subject to the outcome of the present writ petitions.

(iii) The Convener, TG EAPCET, shall communicate the present interim order to the prospective students seeking admission for the A.Y. 2026-27 into the petitioners-institutions, clearly indicating that the fees payable by the students may be increased to Rs.1,42,000/- and

Rs.1,65,000/- respectively in W.P.Nos.19116 and 19117 of 2026, subject to outcome of the present writ petitions.

**Sd/- A.SREENIVASA REDDY
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

**To, **

1. The Principal Secretary Higher Education Department Secretariat Hyderabad.
2. The Member Secretary, Telangana Admission and Fee Regulatory Committee, 2nd Floor, JNA and FAU Campus, Opp. Mahavir Hospital, Mahaveer Marg, Masab Tank, Hyderabad.
3. The Convenor TGEAPCET 2026 JNTUH, UCESTH Kukatpally Hyderabad - 500085.
4. The Convenor TGE CET 2026 JNTUH UCESTH, Kukatpally Hyderabad - 500085.
5. The Secretary, Telangana State Council for Higher Education, 1st Floor JNTU Masab Tank Campus Opp. Mahavir Hospital Mahaveer Marg Masab Tank Hyderabad.
6. The Registrar, Jawaharlal Nehru Technological University, Hyderabad.
[Addresses 1 to 6 By SPAD]
7. One CC to Sri. Sirgapoor Sahil Reddy, Advocate [OPUC]
8. Two CCs to GP For Higher Education, High Court for the State of Telangana, at Hyderabad [OUT]
9. One spare copy
SP

HIGH COURT

JS, J

DATED: 19-06-2026

ORDER

**I.A.No.2 OF 2026 IN WP.No.19116 OF 2026
&
I.A.No.3 OF 2026 IN WP.No.19117 OF 2026**

DIRECTION

