

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE NO.: W.P.No.16380 OF 2023

PROCEEDING SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
1.	06.07.2023	<u>NV,J</u> Heard learned counsel for the petitioner, learned Standing Counsel for Respondent Nos.2 and 3 and learned Government Pleader for Respondent No.1. Smt. S. Parineeta, learned Standing Counsel takes notice on behalf of Respondent No.2. Sri C. Sudesh Anandh, learned Standing Counsel takes notice on behalf of Respondent No.3. The grievance of the petitioner is that the respondents are not permitting to pay processing fee with penalty as stipulated at the Notification dated 30.06.2022, for fixing the tuition fee for UG/Degree Courses of the petitioner's institution for allotment of students/admissions into Degree Courses for the present academic year through OAMDC. Learned counsel for the petitioner submits that, the petitioner institution was established in the year 1994 and it has been imparting education at minimum fee. Notification was issued by the respondents on 30.06.2022, notifying for payment of fee for regulating the fee structure in Higher Educational Institutions, more particularly UG and PG Colleges for the Academic years 2023-2024, 2024-2025 and 2025-26 (three years).	

		As per the notification, the managements of all the Private Un-aided and Aided Higher Educational Institutions are required to submit the relevant data from 01.07.2022 to 31.08.2022. The notification also allows the respective institutions to make the fee payment, along with a penalty, until the final date of counselling. Learned counsel for the petitioner further submits that now the petitioner's institution is ready to pay the fee as well as penalty as per the notification dated 30.06.2022 and requested to allow the petitioner's institution to participate in the counseling process for the academic years 2023-24 to 2025-26 on par with other institutions which have paid the requisite fee and complied the conditions of the Notification dated 30.06.2022. Learned Standing Counsel for Respondent No.3 submits that the request of the petitioner can be considered on par with other applications for the Academic years 2023-24 to 2025-26, upon payment of requisite fee by the petitioner along with penalty as per the notification. Learned Standing Counsel for the Respondent No.2 reiterated the contention of the learned Standing Counsel for Respondent No.3. Considering the submissions made by learned counsel for the petitioner and learned counsel for the respondents, this Court is of the opinion that a <i>prima facie</i> case is made out in favour of the petitioner and the following interim directions are issued:	
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		i) The petitioner is directed to pay processing fees along with penalty as per the notification dated 30.06.2022 to the Respondent No.3 along with application by 11.07.2023. ii) On such payment, Respondent No.3 is directed to recommend the eligible fee as applicable to the petitioner for the Academic Years 2023-24 to 2025-26 to the Respondent No.1 within two days. iii) After receiving the request from the Respondent No.3, the Respondent No.2 shall display the petitioner college in the list of colleges at official website for participating in the counseling in UG courses for the present Academic Year 2023-24 through OAMDC. Post the matter after four weeks for filing counter-affidavit. NV, J sp	
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