

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**



FRIDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 19692 OF 2023

Between:

Sardar Gowthu Latchanna Degree College, Rep by its Correspondent Sri. P. Kanaka Durga Prasad Cheruvumadhavaram, G. Konduru Mandal, NTR District, Andhra Pradesh.

...Petitioner

AND

1. The State of Andhra Pradesh, rep by its Special Chief Secretary, Higher Education Department, Secretariat, Tullur, Velagapudi, Guntur District
2. The Andhra Pradesh State Council for Higher Education, Government of Andhra Pradesh Rep by its Secretary, Niladri Towers, 6th Battalian Road, Mangalagiri, Guntur District, Andhra Pradesh - 522503.
3. The Andhra Pradesh State Council for Higher Education, Government of Andhra Pradesh Rep by its Chairman Niladri Towers, 6th Battalian Road, Mangalagiri, Guntur District, Andhra Pradesh - 522503.
4. The Andhra Pradesh Higher Education Regulatory and Monitoring Commission, Government of Andhra Pradesh Rep by its Member-Secretary 3rd Floor, Sree Mahendra Enclave, NRI Block (C-Block). NH-16, Tadepalli, Guntur District - 522501.

...Respondents

WHEREAS the Petitioner above named through its Advocate Sri Mathukumilli Sri Vijay 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 an appropriate writ more in the nature of Writ of Mandamus declaring the action of the 1st Respondent in issuing GO Ms No. 24, Higher Education (R.M) Department, Dated 14-07-2023 as per the recommendations of the 4th Respondent Regulatory Commission in not determining the fee structure for the block period 2023-24 to 2025-26 for the various degree courses being offered by the Petitioner-Institutions on the ground that the Petitioners made less than 25percent admissions than the sanctioned intake, and the consequential action of the Respondents 2 and 3 in not allowing the Petitioner-Institutions to take part in the online counselling scheduled to start from 20.07.2023 (tentatively) as being arbitrary, illegal and violative of Articles 14 and 19 of the Constitution of India and violative of A.P. Educational Institutions (Regulations of Admissions and Prohibition of Capitation Fee) Act 1983 and the Andhra Pradesh Higher Education Monitoring and Regulatory Commission Act and Rules, Regulations framed therein and consequently set aside the G.O. Ms. No. 24 Higher Education (R.M) Department, dated 14.07.2023;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Mathukumilli Sri Vijay, Advocate for the Petitioner and of GP for Higher Education for Respondent No.1, M/s. S.Parineetha, Standing Counsel for Respondent Nos.2 & 3, Sri C. Sudesh Anand, Standing Counsel

for Respondent No.4, 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 Special Chief Secretary, Higher Education Department State of Andhra Pradesh, Secretariat, Tullur, Velagapudi, Guntur District
2. The Secretary, Andhra Pradesh State Council for Higher Education, Government of Andhra Pradesh Niladri Towers, 6th Battalian Road, Mangalagiri, Guntur District, Andhra Pradesh - 522503.
3. The Chairman, Andhra Pradesh State Council for Higher Education, Government of Andhra Pradesh Niladri Towers, 6th Battalian Road, Mangalagiri, Guntur District, Andhra Pradesh - 522503.
4. The Member-Secretary, Andhra Pradesh Higher Education Regulatory and Monitoring Commission, Government of Andhra Pradesh 3rd Floor, Sree Mahendra Enclave, NRI Block (C-Block). NH-16, Tadepalli, Guntur District - 522501.

are be and hereby directed to show cause either appearing in person or through an Advocate, 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.

The Court made the following

ORDER:

"Notice Before Admission.

Post the matter along with W.P.Nos.17697 of 2023 and batch."

Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

F SECTION OFFICER

To,

1. The Special Chief Secretary, Higher Education Department State of Andhra Pradesh, Secretariat, Tullur, Velagapudi, Guntur District
2. The Secretary, Andhra Pradesh State Council for Higher Education, Government of Andhra Pradesh Niladri Towers, 6th Battalian Road, Mangalagiri, Guntur District, Andhra Pradesh - 522503.
3. The Chairman, Andhra Pradesh State Council for Higher Education, Government of Andhra Pradesh Niladri Towers, 6th Battalian Road, Mangalagiri, Guntur District, Andhra Pradesh - 522503.
4. The Member-Secretary, Andhra Pradesh Higher Education Regulatory and Monitoring Commission, Government of Andhra Pradesh 3rd Floor, Sree Mahendra Enclave, NRI Block (C-Block). NH-16, Tadepalli, Guntur District - 522501. (1 to 4 by RPAD- along with a copy of petition and Affidavit)
5. One CC to Sri. Mathukumilli Sri Vijay, Advocate [OPUC]
6. One CC to Sri C. Sudesh Anand, Standing Counsel [OPUC]
7. One CC to M/s. S. Parineetha, Standing Counsel [OPUC]
8. Two CCs to GP for Higher Education, High Court of Andhra Pradesh. [OUT]
9. One spare copy.

MSB

HIGH COURT

NV,J

DATED:04/08/2023

ORDER

POST THE MATTER ALONG WITH W.P.Nos.17697 of 2023 AND BATCH

NOTICE BEFORE ADMISSION

WP.No.19692 of 2023

