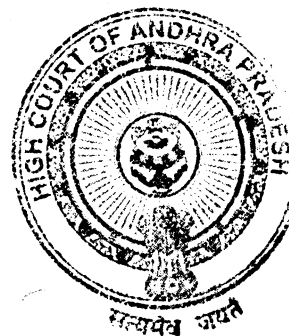


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE TWENTY EIGHTH DAY OF JANUARY  
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SMT JUSTICE KONGARA VIJAYA LAKSHMI



IA No. 1 OF 2021

IN

WP NO: 22601 OF 2020

**Between:**

Sree Veerabrahmendra Junior College Committee, Brahmagari Mattam (Regd. No. 60/1980), H.No:11-245, Near TGP Colony, Somireddypalli Village, Brahmamgare Mattam Mandal, Y.S.R.Kadapa District, Andhra Pradesh, Rep. by its Committee Member, Sreeyapureddy Sreenivasula Reddy.

...Petitioner

**AND**

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Higher Education, Secretariat Buildings, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, School Education (Intermediate Education), Secretariat Buildings, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
3. The Andhra Pradesh, State Council of Higher Education, Rep. by its Chairman, 3rd 4th and 5th Floors, Neeladri Towers, Sri Ram Nagar, 6th Battalion Road, Atmakur Village, Mangalagiri Mandal, Guntur District-522503, Andhra Pradesh.
4. The Board of Intermediate Education, Rep. by its Secretary, D.No. 48-18-2/A, Nagarjuna Nagar Colony, Opp- NTR Health University, Vijayawada-520008.
5. The Yogi Vemana University Kadapa, Rep. by its Registrar Kadapa, Y.S.R. Kadapa District, Andhra Pradesh.
6. The Regional Inspection Officer, Board of Intermediate Education Kadapa, YSR Kadapa District, Andhra Pradesh.
7. Sree Veerabrahmendra Educational Society, Door No- 8-19, Dowlthapuram Chennuru Mandal, Kadapa District, Rep. by its Correspondent, S.K. Valli.

...Respondents

**Counsel for the Petitioner :SRI POLISETTY RADHA KRISHNA**

**Counsel for the Respondent Nos.1 & 2: GP FOR EDUCATION**

**Counsel for the Respondent No.3: Ms. S.PARINEETHA, STANDING COUNSEL**

**Counsel for the Respondent No.5: SRI T.NIRANJAN, STANDING COUNSEL**

Petition under Section 151 CPC 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 4<sup>th</sup> and 5<sup>th</sup> respondents not to allot any students for Degree Course and Intermediate Course in Sree Venkateswara Degree College, 7-306-1, of Somireddy Palli Village and Sree Venkateswara Junior College, 7/306-1 of Somireddy Palli Village, Brahmagari Mattam, Maddal, YSR Kadapa District, Andhra Pradesh for the academic year 2020-21, pending disposal of WP No.22601 of 2020, 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:**

"This writ petition is filed to declare the proceedings dated 27.06.2015 of the 3<sup>rd</sup> respondent granting permission to Sri Venkateswara Degree College-, as illegal and arbitrary.

This writ petition is filed challenging the action of the respondents in granting permission for running (1) Sri Venkateswara Degree College, H.No.7-306-1, Mallepalli Road, Brahmagari Matam, YSR Kadapa District, from the academic year 2016-17, (2) Sri Venkateswara Junior College, H.No.7-306-1, Opp. SBI Somireddypalli Village, Brahmagari Mattam Mandal, YSR Kadapa District, for the academic year 2020-21; petitioner-society

was formed in the year 1980 to cater the educational needs of the surrounding villages in Brahmagari Matam; the 7<sup>th</sup> respondent established Sree Veerabrahmendra Junior College Committee, in the same name of the petitioner college committee and obtained permission for running a new private unaided degree college in the name of 'Sree Venkateswara Degree College, D.No.7-306-1 Mallepalle Road, Brahmagari Matam'; the 7<sup>th</sup> respondent seems to have applied for Junior College and the 4<sup>th</sup> respondent granted permission for the academic year 2020-21 to run the private junior college for Intermediate courses showing the one door number for both the colleges; as on the date, there is no college either degree or junior college existing in the above door numbers, wherein the 7<sup>th</sup> respondent obtained permission for running the degree and junior colleges; the 7<sup>th</sup> respondent is running the degree and junior college in a chowdri, opposite to SBI, Somireddypalle village; petitioner made a complaint dated 31.08.2020 to the 4<sup>th</sup> respondent, which was forwarded to the 6<sup>th</sup> respondent; basing on the complaint, the 6<sup>th</sup> respondent conducted inspection; if a direction is not issued to respondents 4 and 5 not to allot students to Sri Venkateswara Degree college and junior college, the students will be put to irreparable loss. Hence, the writ petition.

An interim direction was sought not to allot the students to the degree and intermediate courses to 7<sup>th</sup> respondent college.

Direction not to allot the students to degree and intermediate courses that are being conducted by the 7<sup>th</sup> respondent cannot be granted basing on the complaint given by the petitioner, without any notice to the 7<sup>th</sup> respondent, at the instance of another junior college committee. As the learned counsel for the petitioner submits that the matter is connected to WP No.1895 of 2021, post this writ petition along with WP No.1895 of 2021."

Sd/-V.Diwakar  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Higher Education, State of Andhra Pradesh, Secretariat Buildings, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
2. The Principal Secretary, School Education (Intermediate Education), State of Andhra Pradesh, Secretariat Buildings, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
3. The Chairman, Andhra Pradesh, State Council of Higher Education, 3rd 4th and 5th Floors, Neeladri Towers, Sri Ram Nagar, 6th Battalion Road, Atmakur Village, Mangalagiri Mandal, Guntur District-522503, Andhra Pradesh.
4. The Secretary, Board of Intermediate Education, D.No. 48-18-2/A, Nagarjuna Nagar Colony, Opp- NTR Health University, Vijayawada-520008.
5. The Registrar, Yogi Vemana University Kadapa, Y.S.R. Kadapa District, Andhra Pradesh.
6. The Regional Inspection Officer, Board of Intermediate Education Kadapa, YSR Kadapa District, Andhra Pradesh.
7. S.K. Valli, Correspondent, Sree Veerabrahmendra Educational Society, Door No- 8-19, Dowlthapuram Chennuru Mandal, Kadapa District.(1 to 7 by RPAD- along with a copy of petition and Affidavit)
8. One CC to Sri. Polisetty Radha Krishna Advocate [OPUC]
9. One CC to Ms. S.Parineetha, Standing Counsel [OPUC]
10. One CC to Sri T.Niranjan, Standing Counsel [OPUC]
11. Two CCs to GP for Education, High Court of Andhra Pradesh. [OUT]
12. One spare copy.

MSB

HIGH COURT

KVL,J

DATED:28/01/2021

LIST THE MATTER AFTER FOUR WEEKS

ORDER

IA No. 1 OF 2021  
IN  
WP.No.22601 of 2020

INTERIM DIRECTION

