

IN THE HIGH COURT OF ANDHRA PRADESH: AMARAVATI

HON'BLE MR.JUSTICE DHIRAJ SINGH THAKUR, CHIEF JUSTICE

&

HON'BLE MR. JUSTICE R. RAGHUNANDAN RAO

Writ Appeal No.960 of 2023

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

..Appellant

Versus

Smt. Sanagala Prameela Degree College,
Rep by its Secretary & Correspondent
Mandal Bhaskar Reddy, S/o. Venkata Reddy,
Nambur, Pedakakani Mandal, Guntur District,
Andhra Pradesh & four others.

...Respondents

Counsel for the Appellant : Smt. S. Parineeta, Standing
Counsel.

Counsel for respondent No.1 : Smt. Y. Anupama Devi

Dt.: 18.12.2023

P.C:

The present Letters Patent appeal has been preferred against
the judgment and order, dated 28.08.2023 passed in WP.No.21801
of 2023.

2. By virtue of the judgment and order impugned, the learned single Judge directed the Andhra Pradesh Higher Education Regulatory and Monitoring Commission to receive the relevant data from the petitioner college as per notification, dated 30.06.2022, and to tentatively fix the fee that can be collected by the college for the courses offered.

3. The present appeal has been preferred against the judgment and order impugned highlighting the fact that there was no question of issuing a direction directing the Commission to tentatively fix a fee to be collected by the college inasmuch as the college had no authority to run the institution in view of the order, dated 13.05.2022, passed by the Andhra Pradesh State Council of Higher Education whereby the statutory permission granted to the petitioner college from the academic year 2022-23 had been withdrawn on the failure of the college to obtain affiliation from the University as also its failure to run the college for the last three years.

4. This fact that the college was not functioning for the last three years and that the institution had failed to obtain the affiliation from the University has not been denied by learned counsel appearing for the writ petitioner – respondent No.1 herein.

5. In that view of the matter, the directions issued by the learned single Judge are unsustainable and are accordingly set aside.

6. The Writ Appeal is, accordingly, allowed and the judgment and order dated 28.08.2023 in WP.No.21801 of 2023 is set aside. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

DHIRAJ SINGH THAKUR, CJ

R. RAGHUNANDAN RAO, J

Vjl

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Vjl