

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIFTH DAY OF MARCH
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.2009 of 2015

BETWEEN

Human Resources Developmental Association and another.

... PETITIONERS

AND

The State of Andhra Pradesh, Rep. by its Principal Secretary to Government, Higher Education Department, Secretariat, Hyderabad and others.

...RESPONDENTS

Counsel for the Petitioners: MR. V.R. AVULA

**Counsel for the Respondents: GP FOR HIGHER EDUCATION
MR. P. GOVIND REDDY
MR. C. SUDESH ANAND**

The Court made the following:

-
-

ORDER:

Petitioner No.1 is an educational society, which runs the second

petitioner college. Petitioners question the action on the part of the third respondent – university in collecting development fee and interuniversity tournament fee levied through the proceedings No.C-I (3)/Acad.Sche./2014-15 dated 19.05.2014.

2. When the writ petition was taken up for hearing, it was not disputed by the learned counsel appearing on either side that the issue involved in this writ petition is squarely covered by an order of this Court in WP.No.32886 of 2014 and batch dated 08.12.2014.

The operative portion of the aforesaid order is as follows:

“In my opinion, the collection of Development Fees also does not fall within the provisions of Sections 5 and 19 of the Act 1991 and the reasons mentioned in the Judgment in **Islamia Education Society (2-supra)** apply in all fours to these cases also.

For the above mentioned reasons, the Writ Petitions are allowed by holding that the levy of University Development Fees by respondent No.2 is illegal. However, this Court is not inclined to interfere with the University Tournament Fees being levied by respondent No.2.

The Writ Petition is partly allowed to the extent indicated above.”

3. Learned standing counsel for the third respondent states that they have resolved to collect the development fee only on the basis of Executive Council’s resolution dated 11.12.2003. However, the same was not approved by this Court in the earlier batch of writ petitions.

In terms of the aforesaid order, this writ petition is also allowed in part with the same operative direction, as extracted above.

As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

March 25, 2015
DSK