

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

THE HON'BLE SRI JUSTICE S.RAVI KUMAR

PUBLIC INTEREST LITIGATION No.266 of 2015

Dt:23.11.2015

Between:

B.Ramesh.

... Petitioner

And

The State of Telangana and others.

... Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

THE HON'BLE SRI JUSTICE S.RAVI KUMAR

PUBLIC INTEREST LITIGATION No.266 of 2015

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

In this PIL, the petitioner, who claims to be a social worker, seeks the following relief:

“That this Hon’ble Court may be pleased to pass order or orders more particularly in the nature of Writ of Mandamus declaring the issuance of G.O.Rt.No.164, dated 24.07.2015 issued by the first respondent in shifting the 5th respondent institution from Kollapur Gram Panchayat to Gadwal Municipality by giving the permission of conversion of Management from 5th to 4th respondent and converting the Women’s Degree College into Co-education College is ultra-vires and against the Rule 14 (4) and Rule 14 (5) of Andhra Pradesh Educational Institutions (Establishment, Recognition, Administration and Control of Institutions of Higher Education) Rules, 1987 and against the Article 14 of Constitution of India and pass necessary order or orders as deem fit and proper in the circumstances of the case and in the interest of justice.”

We have perused G.O.Rt.No.164, dated 24.07.2015. It appears, from the said Government Order, the Gadwal Municipality is having within its limits 8 Junior Colleges and 4 Degree Colleges. The Mandals, namely Gattu, Meldakal and Dharur nearer to Gadwal Town are having 6 Junior Colleges without any Degree College. The pass outs from these Junior Colleges also join the Degree Colleges at Gadwal. As against this, Kollapur is having 6 Junior Colleges and 6 Degree Colleges. Kollapur is Gram Panchayat and comparatively a small town as compared to Gadwal. In this backdrop, the Government seems to have taken decision of shifting respondent No.5 institution from Kollapur Gram Panchayat to Gadwal Municipality by issuing the impugned G.O.Rt.No.164, dated 24.07.2015.

We are informed that the Degree College has already been shifted and commenced since July 2015. This PIL was filed on 15.09.2015. Keeping that in view and considering that neither the institution nor the students are coming forward to challenge the decision, we are not inclined to entertain the PIL. Even the submission that under Rule 14 (4) of the Andhra Pradesh Educational

Institutions (Establishment, Recognition, Administration and Control of Institutions of Higher Education) Rules 1987, women's institution cannot be allowed to be converted into coeducational or boy's institution has no substance, since on the face of it, the Rules are directory in nature and not mandatory. That apart, there is no challenge to the impugned G.O.Rt.No.164, dated 24.07.2015, on this ground. We do not find any substance in the PIL.

PIL is dismissed.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

S.RAVI KUMAR, J

Dt:23.11.2015

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