

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.8863 OF 2016

ORDER

Heard Sri Md. Osman Shaheed, learned senior counsel appearing for Sri Mohd. Adnan, learned counsel for the petitioner society, and Sri A.Abhishek Reddy, learned standing counsel for the second respondent Council.

The prayer of the petitioner in this case is as under:

‘This Hon’ble Court may be pleased to pass an order, direction or a writ particularly in the nature of Writ of Mandamus declaring that the action on part of the respondents in refusing to receive the application of the petitioner society for opening of new un-aided Degree College for Women of minority sect, offering course such as B.A., B.Com., and B.Com., Computers, at Tadbun locality, Bahadurpura area, Hyderabad for the year 2016-17, is highly illegal, arbitrary, in violation of articles 21 and 30 of the Constitution of India and in violation of Act 20 of 2010 of Minority Educational Institutional Act, 2004, Consequently, this Hon’ble Court may be pleased to direct the respondents to receive the application of the petitioner society’ for opening of new un-aided Degree College for Women of minority sect, offering courses such as B.A., B.Com., and B.Com., Computers, at Tadbun locality, Bahadurpura area, Hyderabad, for the year 2016-17, and pass any other order or orders as deemed fit and proper in the circumstances of the case in the interest of justice.’

As no exercise has been undertaken by the State authorities to ascertain that there is need for opening of a new college for women in the subject location, the respondents are directed to receive the application of the petitioner society, whereby it seeks to open a new un-aided degree college for women at Tadbun locality in Bahadurpura area, Hyderabad, for the academic year 2016-17, consider such application on its own merits after conducting an exercise as to whether there is need for such a college in the subject locality and thereafter take appropriate action accordingly. In the event the petitioner society’s request for such

permission is rejected, the reasons therefor shall be recorded and duly communicated to the petitioner. This exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of the application from the petitioner society.

The writ petition is accordingly disposed of. Pending miscellaneous petitions shall stand closed. No order as to costs.

SANJAY KUMAR, J

12th APRIL, 2016

Note: Issue C.C. by 18.04.2016.
B/o Svv