

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION Nos.19307; 19313; 19318 and 19319 OF 2016

COMMON ORDER:-

Since a common grievance is raised in all these writ petitions, they are taken up together, heard and being disposed of by this common order.

It is the case of the petitioners that in the year 2011 they joined in 4th respondent-SAR College of Architecture, to pursue Architecture course, which was affiliated to 3rd respondent-University in the year 2010. As set out in the respective affidavits of the petitioners filed in support of the Writ Petitions, by the year 2016, all the petitioners have passed in all the subjects upto which they appeared for examinations, except the 1st petitioner in W.P.No.19307 of 2016, who failed in one subject. On account of bifurcation of the State of Andhra Pradesh by Andhra Pradesh Reorganization Act, 2014, now the 4th respondent-college is not yet been affiliated to any of the Universities in the newly formed State of Andhra Pradesh, because of which, the petitioners are unable to complete their course by writing the examination for the left over subjects/semesters. They have made a detailed representation on 25.04.2016 to the 3rd respondent-University setting out the peculiar state in which they are placed in. Hence, in the circumstances, they pray for issuance of a writ of mandamus to direct the respondents to consider their representations, conduct examination and permit them to complete their course.

Heard the learned counsel for the petitioners as well as Sri A. Abishek Reddy, learned counsel for the 3rd respondent.

This is a peculiar case where the petitioners are placed in piquant situation on account of bifurcation of the State in consequence of A.P. State Re-Organization Act, 2014. The 4th respondent-College, which was affiliated to the 3rd respondent-University, is now within the territorial jurisdiction of the newly formed State of Andhra Pradesh. In normal circumstances, the 4th respondent would be affiliated within the jurisdiction of one or the other of the Universities viz., Nagarjuna University, JNTU-

Kakinada etc. Even assuming that the 4th respondent-college to get affiliation from any one of the Universities within the territorial jurisdiction of newly formed States, insofar as petitioners are concerned, since they were admitted in the 4th respondent-College during the year 2011 itself, by default, they have to be continued within the 3rd respondent-University only. It is the 3rd respondent-University, which has to confer them the degrees subject to their fulfilling other conditions as the petitioners have to complete their course in accordance with the curriculum of the 3rd respondent-University. The situation in which the petitioners are placed is only on account of the State bifurcation and at any rate to which University the 4th respondent-College would get affiliated would be irrelevant as that would be only in relation to the future admissions and not in relation to the students who have already been admitted and pursued their course when the college was affiliated to the 3rd respondent-University.

In those circumstances, there shall be a direction to the 3rd respondent-University to take appropriate steps to enable the petitioners to complete their course, subject to their satisfying other criteria and eligibility.

With the above observations, all the writ petitions are disposed of. There shall be no order as to costs.

Consequently, Miscellaneous Petitions pending, if any, in these Writ Petitions shall stand closed.

JUSTICE CHALLA KODANDA RAM

Date:20.06.2016.
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