

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 22440 OF 2016

ORDER:

The case of the petitioners is that they joined in the academic year 2014-15 in the 4th respondent college, which was affiliated to the 3rd respondent university in the year 2014, to pursue Architecture Course. By the year 2015, it appears from the affidavit filed in support of the Writ Petition, the petitioners have appeared for the 1st and the 2nd semester examinations conducted in February and August 2015, but thereafter, it is stated that the 3rd semester examinations, which were scheduled to be conducted in February 2016, have not been conducted. On account of bifurcation of the composite State of Andhra Pradesh into separate States, by way of the Andhra Pradesh Reorganization Act, 2014, the 4th respondent college has been disaffiliated from the 3rd respondent university, vide proceedings, dated 24.11.2015. Since then, the 4th respondent college has not been affiliated to any university in the State of Andhra Pradesh, as a result of which, the petitioners are unable to pursue the course. They have made detailed representation on 23.06.2016 to Respondents 1 to 3 setting out the peculiar state in which they are placed, but so far, the same has not been acted upon. Hence, in the circumstances, they pray for issuance of a *mandamus* to direct Respondents 1 to 3 to consider their representation, conduct examinations and permit them to complete their course.

Heard learned counsel for the petitioners as well as Sri A. Abhishek Reddy, learned Standing Counsel for the 3rd respondent university.

This is a peculiar case where the petitioners are placed in a piquant situation on account of bifurcation of the composite State of Andhra Pradesh. The 4th respondent college, which was affiliated to the 3rd respondent university, is now within the territorial jurisdiction of

the State of Andhra Pradesh. In normal circumstances, the 4th respondent would be affiliated to one or the other university viz., Nagarjuna University, JNTU-Kakinada, etcetera. Even assuming that the 4th respondent college were to get affiliation from any one of the universities within the territorial jurisdiction of the State of Andhra Pradesh, insofar as the petitioners are concerned, since they were admitted in the 4th respondent college during the year 2014 itself, which was then affiliated to the 3rd respondent university, they have to be continued with the 3rd respondent only, for completion of their course. It is the 3rd respondent university, which has to confer them the degrees, subject to their fulfilling the conditions stipulated, as the petitioners have been pursuing the course in accordance with the curriculum of the 3rd respondent university. As to which university, the 4th respondent college would get affiliated is not relevant to the present fact situation. Since the petitioners have been pursuing their course in the 4th respondent college when it was affiliated to the 3rd respondent university, the said university shall take appropriate steps so as to enable them complete their course, on satisfying the conditions, subject to which they were granted admission into the said course.

The Writ Petitions accordingly stand disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall also stand disposed of.

CHALLA KODANDA RAM, J

13th July 2016
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