

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION Nos.17487, 17537, 17542 & 17543 OF 2016

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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 2010 they joined in 4th respondent-college to pursue Architecture Course, which was affiliated to 3rd respondent-University in the year 2008. By the year 2015, all the petitioners have passed in almost all the subjects except in one subject as set out in detail in their respective affidavits filed in support of the writ petitions. On account of bifurcation of the State of Andhra Pradesh by Andhra Pradesh Reorganization Act, 2014, now the 4th respondent-college has 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 subject. They have made detailed representations on 07.04.2016 to the 3rd respondent-University setting out the peculiar state in which they are placed. Hence, in these 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 V. Rama Chander Goud, learned Standing Counsel for the 3rd respondent.

These are peculiar cases where the petitioners are placed in a piquant situation on account of bifurcation of the State in consequence of Andhra Pradesh State Reorganization 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 2010 itself, by default, they have to be continued with the

3rd respondent-University only. It is the 3rd respondent-University, which has to confer Degrees to the petitioners subject to their fulfilling other conditions as they have completed 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 these 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 above observations, the Writ Petitions are disposed of. There shall be no order as to costs.

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

CHALLA KODANDA RAM, J

Date:06.06.2016

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