

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION Nos.32535, 32545, 32570 and

WRIT PETITION No.32588 OF 2016

COMMON ORDER:

These writ petitions are filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the action of the first respondent in rejecting the affiliation to the second petitioner-Institution for Postgraduate Courses, as illegal and arbitrary.

2. Heard the learned counsel for the petitioners, Sri A.Abhishek Reddy, the learned Standing Counsel for the first respondent-J.N.T.U., and Sri K.Ramakanth Reddy, the learned Standing Counsel for the second respondent-A.I.C.T.E.

3. The second petitioner-Institution was granted permission by the second respondent for Undergraduate and Postgraduate Engineering Courses of different branches on 07.04.2015 and 09.04.2015 respectively. The first respondent-University rejected affiliation to the second petitioner-Institution for few courses on 25.08.2015, during pendency of Writ Appeal No.654 of 2015 and batch. Writ Appeal Nos.634, 633, 654 and 667 of 2015 were disposed of by this Court on 15.7.2016 directing the respondents herein to verify whether the institutions i.e., writ petitioners therein, have qualified faculty for the courses in question for 2015-16 or not. After disposal of W.A. No.654 of 2015 and batch, the petitioners therein made a representation to consider their cases. The first respondent once again rejected affiliation to the second petitioner-Institution on 22.7.2016 and communicated the same through e-mail on 28.7.2016.

4. The second petitioner-Institution submitted a representation on 09.08.2016 to respondent Nos.1 and 2 to reconsider their grievances once again.

5. The contention of the learned counsel for the petitioners is that the first respondent has not meticulously scrutinized the material placed before it.

6. At the time of arguments, the only relief sought for by the learned counsel for the petitioners is to direct respondent Nos.1 and 2 to consider the representation of the second petitioner-Institution dated 09.08.2016. The learned Standing Counsel for the first respondent, in all fairness, submitted that the first respondent is not going to take any coercive steps against the second petitioner-Institution till disposal of the said representation.

7. Having regard to the facts and circumstances of the case, respondent Nos.1 and 2 are hereby directed to dispose of the representation of the second petitioner-Institution dated 09.08.2016 in accordance with law keeping in mind the prospects of the students, as expeditiously as possible. The first respondent is hereby directed not to take any coercive steps against the second petitioner-Institution till disposal of the said representation.

8. With the above directions, all the Writ Petitions are disposed of. No costs.

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

T.SUNIL CHOWDARY, J

Date: 26.09.2016

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