

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITIONS No. 18702, 18716, 18725, 18733 AND 18748 OF 2016

COMMON ORDER:

Since a common issue in all these four writ petitions is involved, they are being disposed of by a common order.

The case of the petitioners is that they joined in the 4th respondent college, which was affiliated to the 3rd respondent university in the year 2009, to pursue Architecture Course. By the year 2015, it appears from the affidavits filed in support of the Writ Petitions, the petitioners could complete all subjects, excepting one or two. 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 finish their backlogs. They have made detailed representations on 25.04.2016 to the 3rd respondent university setting out the peculiar state in which they are placed, but so far, the same have not been acted upon. Hence, in the circumstances, they pray for issuance of a *mandamus* to direct the respondents to consider their representations, 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 2010 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 pursued their 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 set of cases. Since the petitioners have pursued their course when the college 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

14th June 2016
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