

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.6856 of 2016

ORDER:

The challenge in this writ petition is to the Memo dated 19.02.2016 of the Government of Andhra Pradesh through its School Education (Prog.II) Department, whereby the petitioner – College was refused affiliation for the academic year 2015-16.

However, perusal of the impugned Memo dated 19.02.2016 reflects that no reasons are forthcoming therefrom as to why the petitioner – College was refused affiliation.

The relevant paragraph in the impugned Memo reads as under:

“In the circumstances reported by the Commissioner of School Education, A.P. Hyderabad in the reference 3rd cited, after careful examination of the matter, Government hereby direct the Commissioner of School Education, A.P. Hyderabad to reject the cases of following Private D.Ed Colleges for granting affiliation for the academic year 2015-16, keeping in view the Hon'ble Supreme Court orders in Maa Vaishno Devi Mahila Mahavidyalaya's case, reported in (2013) 2 SCC 617 (para 87.3) & (para 87.4) and also Rule 9(2) of G.O. 1st cited.

1. Jareenataz Diet College, Plot No.520, Mulakaluru Village, Post Officer, Narasaraopet Taluk & City, Guntur District.
2. K.B.R. College of Diploma in Education, Santhi Vanam, Narasa Reddy Kandriga, Naidupet, Nellore District.”

When the decision taken by the authority had adverse civil consequences, it necessarily has to be a reasoned decision. Merely relying upon a judgment of the Supreme Court without indicating as to what paragraph of the judgment was relevant and as to how in the light thereof the petitioner – College suffered disentitlement to affiliation is wholly insufficient to constitute compliance with the principles of natural justice.

On this short ground, the impugned Memo dated 19.02.2016 is set aside insofar as the petitioner – College is concerned and the matter is remitted to the authority for consideration afresh and for

passing of reasoned orders. This exercise shall be completed expeditiously and in any event, not later than ten (10) days from the date of receipt of a copy of this order.

The writ petition is accordingly allowed.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date:02.03.2016

GJ