

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION No.14380 OF 2016

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ORDER:

It is the case of the petitioner that in the year 2010 she joined in 4th respondent-college to pursue Architecture course, which was affiliated to 3rd respondent-University in the year 2008. By the year 2015, the petitioner has passed in almost all the subjects except in one subject as set out in detail in her respective affidavit filed in support of the writ petition. On account of bifurcation of the State of Andhra Pradesh by Andhra Pradesh Reorganization Act, 2014, now the 4th respondent-college is not yet been affiliated to any of the Universities in the newly formed State of Andhra Pradesh, because of which, the petitioner is unable to complete her course by writing the examination for the left over subject. She has made a detailed representation on 07.04.2016 to the 3rd respondent-University setting out the peculiar state in which she is placed in. Hence, in the circumstances, she prayed for issuance of a writ of mandamus to direct the respondents to consider her representation, conduct examination and permit her to complete her course.

2. Heard the learned counsel for the petitioner as well as Sri A.Abhishek Reddy, learned counsel for the 3rd respondent.

3. This is a peculiar case where the petitioner is placed in a piquant situation on account of bifurcation of the State in consequence of A.P. State Re-organization 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 petitioner is concerned, since she was admitted in the 4th respondent-College during the year 2010 itself, by default, she has to be continued with the 3rd respondent-University only. It is the 3rd respondent-University, which has to confer her the degrees subject to her fulfilling other conditions as the petitioner has completed her course in accordance with the curriculum of the 3rd respondent-University. The situation in which the petitioner is placed 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.

4. In those circumstances, there shall be a direction to the 3rd respondent-University to take appropriate steps to enable the petitioner to complete her course, subject to her satisfying other criteria and eligibility.

5. With above observations, this Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE CHALLA KODANDA RAM

Date: 27-04-2016.

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