

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 38086 OF 2016

ORDER:

This Writ Petition is filed seeking a *mandamus* to declare the action of the 1st respondent in issuing G.O.Ms.No. 134, dated 02.11.2016 canceling the recognition of the petitioner institution during the subsistence of the interim stay granted in Writ Petition No. 31521 of 2016 on 19.10.2016 with regard to the proceedings of the 2nd respondent withdrawing the recognition, dated 16.08.2016, as illegal and arbitrary.

Heard learned counsel for the petitioner Sri Chittem Venkata Reddy as well as learned Advocate General on behalf of the respondents.

Today, this Court, in Writ Petition No. 16610 of 2016 and batch of cases, has dealt with, in detail, the question ***'whether granting of permission by the Para Medical Board for establishing the institutions for offering para-medical courses without there being sanction/permission /essentiality certificate from the government under Section 20 of the A.P. Education Act, 1982, is legal and valid'*** and answered the same in affirmative. It has been held therein that the Para Medical Board is competent in all respects to grant approval for establishment of institutions and also authorize offering of new courses. A direction was also issued to the respondents to allow the petitioner institutions for the purpose of admission of students into para medical courses and allow them to offer the courses, which, ultimately, lead to grant of approved certificates. Consequently, the proceedings of the 2nd respondent dated 16.08.2016 has been set aside.

It has been further observed that, considering the fact that on account of pendency of the Writ Petitions, some of the eligible institutions could not make admissions for the academic year 2017-18 and considering the fact that, no interim orders were passed, in fairness, the said institutions shall be given an opportunity to make admissions, for which purpose, the respondents shall consider issuing notification in terms of the Rules and such exercise shall be completed within 15 days from today. It is clarified that the respondents shall be at liberty to take action with respect to the institutions, which have not complied with the formalities like obtaining registration/permissions, as required in terms of Sections 17 and 24, as may be applicable..

In the facts and circumstances of the present case and in view of the order passed in the above Writ Petition, this Writ Petition is also allowed, in terms thereof. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

05th October 2017

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