

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 18180 OF 2018

ORDER:

This Writ Petition is filed seeking Writ of Mandamus declaring the action of the 1st respondent University in reducing the affiliated intake of B.Tech Civil Engineering Course from 120 students to 60 students to the 2nd petitioner institution for the academic year 2018-19 through proceedings dated 20.05.2018 on the ground of non-availability of Principal for a majority period during the academic year 2017-18 as illegal and arbitrary.

Heard Sricharan Telaprolu, learned counsel for the petitioners and Sri A.Abhishek Reddy, learned Senior Counsel for the 1st respondent.

Learned counsel for the petitioners submits that the only ground on which the affiliation for intake capacity from 120 students to 60 students was reduced in B.Tech Civil Engineering Course is due to non-availability of Principal for the majority period during the Academic year 2017-18. He submits that the 1st respondent-University approved the appointment of Principal in the month of November, 2014 for a period of three years, but the said Principal resigned from the said post on 20.07.2017 and that on 01.08.2017, the senior most faculty was appointed as Incharge Principal of the institution and immediately letter was addressed to the 1st respondent University on 09.08.2017 and that they have appointed regular Principal on 18.02.2018 after University send its nominee. He submits that since 18.02.2018, regular Principal

is functioning in petitioner institution. He submits that though the petitioners' institution informed the University for appointment of regular Principal in the month of August, 2017, but University has not sent his nominee for appointment of Principal, now petitioners cannot be found fault for not having regular Principal from August, 2017 to January, 2018, since the respondent has not acted on the application of the petitioner for appointment of regular Principal. He also submits that the Incharge Principal appointed by the petitioners was also having biometric attendance and the said aspect was not considered before reducing the intake capacity of students from 120 to 60, which has to be considered by the 1st respondent once again.

On the other hand, learned Standing Counsel for the 1st respondent-University submits that if the petitioners fulfill the deficiencies pointed out in the impugned proceedings with necessary documentary evidence such as biometric attendance etc., the same will be considered and pass appropriate orders.

In view of the same, it is open for the petitioners to place all the material before the 1st respondent-University including the biometric attendance of the Incharge Principal appointed in the month of August, 2017 to January, 2018, and also with regard to other deficiencies, if any, pointed out in the impugned order within a period of one week from today. On such submission, the 1st respondent-University is directed to consider the same and pass appropriate orders for restoring the intake capacity of students from 120 to 60 in B.Tech Civil Engineering course and

take further consequential action, within a period of one week thereafter.

With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition shall stand dismissed.

12-06-2018
kvs

A.RAJASHEKER REDDY,J



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Date: 12.06.2018

kvs



