IN THE HIGH COURT OF JUDICATURE AT HYDERABAD FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

THE HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

and

THE HON'BLE SRI JUSTICE N. BALAYOGI

Writ Petition Nos.13363, 15869, 18586, 18979, and 23355 of 2018

12-07-2018

W.P.No.13363 of 2018

Between:

Azad Educational Society, Ashok Nagar, Hyderabad, represented by its Secretary and Correspondent, Mr. Mohd. Ghouse Moinuddin and 2 others

… Petitioners

Vs.

Jawaharlal Nehru Technological University, Hyderabad, represented by its Registrar, Kukatpally, Hyderabad and another

.. Respondents

Counsel for the Petitioner : Mr. Sricharan Telaprolu

Counsel for the respondents : Mr. A. Abhishek Reddy, standing Counsel for the University.

Mr. K. Ramakanth Reddy, Standing counsel for AICTE

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

HON'BLE SRI JUSTICE N. BALAYOGI

Writ Petition Nos.13363, 15869, 18586, 18979, and 23355 of 2018

COMMON ORDER: *(V. Ramasubramanian, J)*

The petitioners in all these writ petitions challenged Regulation 3.30 issued by the Jawaharlal Nehru Technological University for the Academic Year 2018-2019. They also challenged the action of the University in placing the petitioners under "No Admission Status" for the current Academic year.

2. Heard Mr. Sricharan Telaprolu, learned counsel for the petitioners. Mr. A. Abhishek Reddy, learned standing counsel takes notice for the University and Mr. K. Ramakantha Reddy, learned standing counsel takes notice for AICTE.

3. In so far as the challenge to Regulation 3.30 is concerned, we have already passed an interim order to the effect that poor enrolment of students in the previous academic years cannot be the sole ground for the rejection of an affiliation. We passed interim orders in this case directing the University to process the applications for affiliation without reference to the Regulation 3.30 and submit copies of the deficiency reports if any.

4. It is submitted across the bar that in respect of all the petitioners, deficiency reports have been submitted. In respect of one writ petitioner, a deficiency report was given on 11-07-2018. In respect of other petitioners, the deficiency reports were handed over on 03-07-2018.

5. The petitioners have a remedy of appeal within a period of 10 days, as per the regulations. The learned counsel for the petitioners wants to avail the remedy of appeal.

6. The learned counsel for the University pointed out that at this distance of time, when two rounds of counseling are already over, no useful purpose would be served in the petitioners filing statutory appeals. But if the Regulation provided for the remedy of appeal, the Court cannot prevent a person from exhausting the remedy of appeal. The appellate remedy may be fruitful on merits or may not be fruitful because of the events that have already taken place. But this is a matter of concern for the petitioners. So long as the Regulations provide for a remedy of appeal, we cannot deny the same.

Therefore, all the writ petitions are disposed of permitting the petitioners to file statutory appeals, within a period of one week from the date of receipt of a copy the order. Thereafter, the University may take appropriate decision in accordance with law and communicate the same to the petitioners. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

N. BALAYOGI, J

Date: 12-07-2018

Note: Issue C.C. tomorrow

B.O./Ksn