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APHC010233572021

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3457]**
(Special Original Jurisdiction)

THURSDAY, THE 5TH DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 13376/2021

Between:

1. DR M PRAVEEN RAJ, S/O. M SATYANARAYANA, AGED ABOUT 34 YEARS, OCC. VETERINARY DOCTOR, R/O. 1-1 NO. 120, STREET NO.100, PADMAVATHI NAGAR, BESIDE HANUMAN ENCLAVE, LBS COLONY, SRIKAKULAM DISTRICT.

...PETITIONER

AND

1. SRI DR T CHANDRA SEKHARA RAO, DEAN, VETERINARY FACULTY, DR. YSR BHAVAN, TIRUPATI, CHITTOOR DIST. ANDHRA PRADESH
2. SRI DR T MADHAVA RAO, REGISTRAR, SRI VENKATESWARA VETERINARY UNIVERSITY, REP BY ITS REGISTRAR, DR. YSR BHAVAN, TIRUPATI, CHITTOOR DIST. ANDHRA PRADESH
3. SRI VENKATESWARA VETERINARY UNIVERSITY, REP BY ITS VICE CHANCELLOR CUM COMPETENT AUTHORITY, DR. YSR BHAVAN, TIRUPATI, CHITTOOR DIST. ANDHRA PRADESH
4. COLLEGE OF VETERINARY SCIENCE, SRI VENKATESWARA VETERINARY UNIVERSITY, REP BY ITS ASSOCIATE DEAN, TIRUPATI, CHITTOOR DIST.
5. THE ANDHRA PRADESH HIGHER EDUCATION, REGULATORY AND MONITORING COMMISSION REP BY ITS SECRETARY, 3RD FLOOR, SREE MAHENDR ENCLAVE, NRI BLOCK, NH 16 TADEPALLI, GUNTUR DISTRICT 522 501
6. THE INSTITUTION OF LOKAYUKTA OF ANDHRA PRADESH, REP BY ITS REGISTRAR, 5TH FLOOR, HACA BHAVAN, BASHEERBAGH, HYDERABAD 500 001
7. THE HONBLE CHANCELLOR, SRI VENKATESWARA VETERINARY UNIVERSITY, RAJ BHAVAN, VIJAYAWADA, KRISHNA DIST. ANDHRA PRADESH
8. STATE OF ANDHRA PRADESH, REP ITS PRINCIPAL SECRETARY, DEPARTMENT OF HIGHER EDUCATION, SECRETARIAT BIDGS, NELAPADU, AMARAVATI, ANDHRA PRADESH

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased topleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus - declaring the action of the respondent university in issuing Memo No. 2171/ACAD.IV/2020 Dated 10.5.2021 as illegal, arbitrary, violative of Articles 14, 15, 16 19(1) (g), 21 of the Constituion of India, violative of principles of natural justice and contrary to judgement rendered by Hon'ble Lokayukta of Andhra Pradesh in complaint No. 622/B1/LOK/2020 Dated 25.3.2021 and consequential direction directing the respondent university to allow the petitioner for resumption of Ph D studies from third semester onwards with stipend in accordance with UGC Ph D Regulations 2009 and further allow the writ petition with exemplary costs and to pass

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased pleased to direct respondent university and College to permit resumption of Ph D studies of the petitioner forthwith, with entitled stipend in accordance with rules in force till disposal of writ petition and to pass

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased to grant leave and permit the petitioner to file reply affidavit in WP No. 13376 of 2021 and pass

Counsel for the Petitioner:

1. SODUM ANVESHA

Counsel for the Respondent(S):

1. R CHANDRA REDDY
2. GP FOR HIGHER EDUCATION
3. VIVEKANANDA VIRUPAKSHA

The Court made the following:

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION No.13376 of 2021

ORDER:

1. The present writ petition is filed by the petitioner on the ground that the Respondent University issued Memo No. 2171/ACAD.IV/2020, dated 10.05.2021 rejecting the request of the petitioner for resuming the Ph.D., Course. The petitioner also seeks a consequential direction directing the Respondent University to allow the petitioner to resume the Ph.D., course from the 3rd semester onwards with a stipend in accordance with UGC regulations.
2. The learned counsel appearing for the petitioner submits that, after completing the Bachelor of Veterinary Sciences, the petitioner also completed a Master's in Veterinary Sciences in October 2015. Thereafter, he registered for Ph.D., (Veterinary Gynaecology and Obstetrics) in December, 2015 in the respondent university. Thereafter, the petitioner completed one year of coursework and was preparing for submission of the dissertation research work during the third semester.
3. It is submitted that while the petitioner was halfway through the third semester of the Ph.D., program, the petitioner was selected in the Animal Husbandry Department of the State and, as such, had to discontinue the Ph.D., program by submitting a request to resume it later. It is submitted that no maximum period is prescribed for completing the Ph.D.,, and the recommendatory ICAR Common Academic Regulations also do not prescribe such a time limit.

4. Pursuant to the memo dated 06.06.2019 issued by the first respondent, the petitioner was duly notified of the academic calendar for the 9th semester for the 2015 batch of PhD students. The said memo also called upon students who have discontinued the course and intend to resume their Ph.D., to apply. The petitioner secured the requisite permission from his employer, i.e. the state, to complete the PhD on 28.05.2019. The petitioner thereafter approached the 4th respondent in June, 2019 seeking re-admission for completing the Ph.D., Course.
5. It is submitted that the respondent authority has denied the petitioner admission to complete the course and has orally informed the petitioner that the petitioner is not eligible to resume the Ph.D., It is submitted that the first respondent relied on the self-framed non-statutory Ph.D., Regulations, 2009, referred to clause 8 (g), and cited the said clause to reject the petitioner's readmission to complete the Ph.D., course. The petitioner awaited the respondent university's decision on re-admission.
6. After failing to hear from the respondent authorities and approaching the Hon'ble Lokayukta for directions to the respondent University to permit the petitioner to complete the Ph.D., course, the respondent University filed a counter before the Hon'ble Lokayukta and referred to Regulation 8(f) of Sri. Venkateshwara Veterinary University Ph.D., Regulations 2009, stating that the course must be completed within 6 years of admission and, as such, rejected the petitioner's attempt to be readmitted to the course.

7. It is submitted by the learned counsel for the petitioner that the respondents have taken a strange stand that the petitioner ought to have approached the university before the commencement of the 8th semester instead of before the commencement of the 9th semester. It is submitted that the stand taken by the respondent university is contrary to the existing regulations and that the regulation on which the respondent authorities are trying to rely cannot be made applicable to the petitioner, as the petitioner had applied for completing Ph.D., course as a regular student and, after having secured a job, had opted for discontinuance from the course with an intention to resume the course at a later point in time.

8. It is submitted that the respondent authorities ought to have permitted the petitioner to complete his Ph.D., as it would benefit the petitioner as well as the place where he is presently serving. It is submitted that the petitioner is a Veterinary Doctor presently working with the State Animal Husbandry Department, and enhancement of his academic qualifications would enable him to serve better.

9. Learned Standing Counsel appearing for the second and third respondent submits that the second respondent has filed a detailed counter, duly bringing to the notice of the Court the various regulations applicable to and regulating the academic calendar for completion of any course. It is submitted that the maximum time period prescribed for completion of the Ph.D., programme is six years of study, and the

petitioner cannot be permitted to rejoin the course and continue his Ph.D., programme from the 3rd semester onwards, as the petitioner has overshot the six-year period.

10. It is submitted that the respondent University would follow the Indian Council of Agricultural Research Common PG Academics Regulations and Curriculum, and that ICAR provides grants to these universities; as such, these regulations are adopted by State Agricultural and Veterinary Universities with modifications as suggested by the Academic Council of the respective Universities. It is submitted that ICAR Regulations 2009 also prescribed a maximum duration of 6 years for completion of the Ph.D., programme. It is also submitted that the University's Academic Council is the competent authority to prescribe academic regulations under the University Act and statute. It has prescribed a maximum duration of 6 years to complete the Ph.D., program. It is submitted that the purpose of prescribing a time limit for resumption of studies is to encourage candidates who are genuinely interested in obtaining higher qualifications.

11. The learned Standing Counsel for Respondent Nos.2 and 3 denies the petitioner's contention that no time limit is stipulated for completion of the Ph.D., programme. On the contrary, it is submitted that the UGC Minimum Standards and Procedure for Award of Ph.D., Degree Regulations, 2009, stipulate that the thesis shall be produced within a

reasonable time as stipulated by the concerned universities, making universities free to decide on this.

12. It is also submitted that the petitioner, while opting for temporary discontinuation, had executed a bond stating that he shall resume studies within 6 semesters from the semester of discontinuation and complete the course within a maximum duration of 6 years, failing which he shall be liable to pay the entire amount of stipend received along with interest. It is submitted that, having executed such a bond, the petitioner cannot now claim that he has been denied readmission to complete the Ph.D., course.

13. It is submitted that the respondent authorities are following the regulations which would not entitle the petitioner to resume studies. It is submitted that the petitioner has not submitted any representation to the Associate Dean for resumption of studies. As such, the Dean cannot be expected to issue orders permitting the petitioner to resume the Ph.D., course against the existing regulations.

14. Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the respondent University. Perused the material on record.

15. The only point to be considered in the present writ petition is whether the university should be directed to permit the petitioner to complete the Ph.D., Course.

16. It is not in dispute that the petitioner joined the Ph.D., course and completed 2 semesters' work before opting for temporary discontinuation with the intention of rejoining the course to complete it. Having secured employment with the State Government, the petitioner had no option but to temporarily discontinue his Ph.D., course. It is also not in dispute that, after securing the requisite permission from his employer to complete the PhD course, the petitioner approached the Respondent University. It is also evident that the Respondent University had issued a memo dated 10.05.2021, duly informing the petitioner that the petitioner is not eligible to resume the Ph.D., course as the petitioner failed to resume studies well in advance of the commencement of the sixth semester of discontinuation.

17. It is also a matter of record that the petitioner approached the Hon'ble Lokayukta of Andhra Pradesh, and by order dated 23.03.2021, the Hon'ble Lokayukta directed the University to consider the case sympathetically and permit the petitioner to resume and complete his studies. Despite the Hon'ble Lokayukta's directions, the respondent University, for reasons better known to it, issued the impugned proceedings on 10.05.2021, rejecting the petitioner's request to continue the remainder of the Ph.D., course.

18. As seen from the University Grants Commission (Minimum Standards and Procedure for Awards of M.Phil/Ph.D., Degree) Regulations, 2009, they do not specifically mention any time frame for completion of the

Ph.D., course. At the same time, the ICAR regulations also do not specify the maximum time period for completion of the Ph.D., programme. The ICAR regulations refer to the minimum time period for completion of the academic programme but do not specify the maximum time period. The respondent university has unnecessarily forced the petitioner to initiate litigation; instead of complying with the directions of the Hon'ble Lok Ayukta, it has protracted the litigation by referring to hyper-technical regulations.

19. The petitioner intends to pursue a Ph.D., course, and the respondent cannot specify how the interest of the university would be prejudiced by permitting the petitioner to resume his Ph.D., course. On the contrary, the University would award one more doctorate in the field of veterinary sciences, which would go a long way towards advancing the academic interests of the University's students.

20. As a veterinarian in the state government service, the petitioner works directly with livestock owners and deals with disease outbreaks and local breeds. Veterinary research addresses regional problems such as endemic diseases, climate stress on animals, and feed shortages, which institutional research often overlooks. In addition, many human infectious diseases are zoonotic; research in epidemiology helps in early detection and containment. This research would enhance the petitioner's service quality, which in turn would benefit society at large.

21. It is also not the case that the regulations fix an outer limit with no power to extend. This Court also does not intend to rewrite them or direct relaxation. The remedy would be to direct the university to consider the case of the petitioner empathetically. On the facts of this case, the ICAR regulations would only prescribe a minimum time period for completion of the Ph.D., course. The regulation is silent on the maximum period. It is also not the case on hand that the petitioner opted to discontinue the Ph.D., course to take a break or for any purpose other than advancing his career. Having secured employment in the State Government, the petitioner was bound to apply for a temporary discontinuation with intent to resume the course after obtaining the requisite permissions from the competent employer to resume the Ph.D., course. The petitioner was granted permission by the employer of the petitioner in the year 2019; thereafter, he approached the respondent authority.

22. No prejudice will be caused to the respondent university if the petitioner is permitted to resume his Ph.D., course, considering the requirement of more research in the field of veterinary sciences, as livestock contributes a significant share of agricultural GDP in India and is the main source for small and marginal farmers. The completion of Ph.D., Course by the petitioner would certainly add value to the service rendered by him as such this Court is of the considered view that the respondent University would have to permit the petitioner to complete the Ph.D., course.

23. Accordingly, the writ petition is allowed. The respondent University is hereby directed to permit the petitioner to resume his Ph.D., studies from the 3rd semester onwards with the eligible benefits. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE HARINATH.N

Dated 05.11.2026
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THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION No.13376 of 2021
Dated 05.11.2026

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