APHC010495532026

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

TUESDAY, THE 13th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 27176/2026

Between:

1. KONDURU GIRISHA, D/O K. RAMAKRISHNA, AGED ABOUT 21 YEARS, R/O GAYATRI NAGAR, KAVALI, SPSR NELLORE DISTRICT, ANDHRA PRADESH.
2. VALLETI NAGA SAI SHREE NIKHIL,, S/O V. VENKATESWARLU, AGED ABOUT 20 YEARS, R/O D.NO 7-7-1D, SANKULA VARI THOTA, KAVALI, SPSR NELLORE DISTRICT, ANDHRA PRADESH.
3. DASARI ESU RATHNAM,, S/O D. KONDALARAO, AGED ABOUT 19 YEARS, R/O CHAKALI VANI STREET, JANATHAPETA, KAVALI, SPSR NELLORE DISTRICT, ANDHRA PRADESH

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, HIGHER EDUCATION DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT. 522 238
2. THE COMMISSIONERATE OF HIGHER EDUCATION, REPRESENTED BY ITS COMMISSIONER, MANGALAGIRI, GUNTUR DISTRICT. 522 503
3. THE A P HIGHER EDUCATION REGULATORY AND MONITORING COMMISSION APHERMC, REPRESENTED BY ITS SECRETARY AND CEO, TADAPALLI, GUNTUR DISTRICT. 522 501
4. THE PRINCIPAL, PBR VISVODAYA INSTITUTE OF TECHNOLOGY

AND SCIENCE, UDAYAGIRI ROAD, VADDI PALEM, KAVALI, SPSR NELLORE DISTRICT. 524 201

...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 toissue a Writ of Mandamus, declaring the action of the 4th Respondent Institution in willfully withholding the Original educational certificates (SSC and Intermediate mark sheets and pass certificates) and Transfer Certificates (TC) of the petitioners. This action is in blatant disregard of the specific directions issued by the 3rd Respondent (APHERMC) as arbitrary, illegal and violative of the fundamental rights guaranteed to the petitioners under Articles 14, 21, and 300A of the Constitution of India, and is contrary to the binding guidelines of the University Grants Commission (UGC) and consequently direct the Respondent to issue Original educational certificates (SSC and Intermediate mark sheets and pass certificates) and Transfer Certificates (TC) of the petitioners which are holding with 4th Respondent

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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 the 4th Respondent to issue Original educational certificates (SSC and Intermediate mark sheets & pass certificates) and Transfer Certificates (TC) of the petitioners forthwith, pending disposal of the Writ Petition and pass

Counsel for the Petitioner(S):

1. CHAITANYA PALISETTY

Counsel for the Respondent(S):

1. GP FOR HIGHER EDUCATION

ORDER:

1. The notice addressed to respondent No.4 has been served, and proof of service has also been filed. However, there is no representation on behalf of respondent No.4 before this Court.

2. The petitioners have approached this Court, aggrieved by the action of respondent No.4 in retaining their original academic certificates, such as SSC, Intermediate mark sheets, pass certificates and transfer certificates of the petitioners. It is submitted that the petitioners joined respondent No.4 College to pursue B-Tech. It is further submitted that, on account of financial constraints, the petitioners could not continue their studies beyond the II-Semester and voluntarily withdrew from the said course. The respondent No.4 is demanding payment of the entire course fee as a condition for releasing the original certificates of the petitioners.

3. The learned Assistant Government Pleader appearing for respondent Nos.1 to 3 submits that the respondents have no role in addressing the grievance of the petitioners, as the petitioners had deposited their original certificates with respondent No.4 College.

4. It is further submitted that respondent No.3 issued a notice dated 25.06.2026 to respondent No.4, requiring to return the original certificates of petitioner Nos.2 and 3, and another notice dated 23.07.2026, requiring to return the original certificates of petitioner No.1. It is also submitted that the respondent No.4 has, so far, not released the original certificates to any of the petitioners.

5. Considering the submissions made by the learned counsel appearing for the petitioners and the learned Assistant Government Pleader, the present writ petition is disposed off with the following directions:

a) The respondent No.4, inspite of service of notice, has chosen not to appear before this Court. That apart, respondent No.4 cannot substantiate retaining the original academic certificates of the petitioners on the pretext that the petitioners are required to pay the entire course fee.

b) Retaining the original academic certificates of students and demanding the petitioners to pay the entire course fee for retaining is an irrational and arbitrary act on the part of respondent No.4. Such retention of certificates would disable the petitioners from pursuing any other course and would also amount to infringing the fundamental right to life.

c) Accordingly, the respondent No.4 is hereby directed to release the original certificates of the petitioners within a period of two (02) weeks from the date of receipt of a copy of this order.

6. With the above directions, the present writ petition stands disposed off. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE HARINATH.N

Date:13.10.2026
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Whether the order is :
Speaking Yes/No / Reasoned Yes/No
Reportable Yes/No / Non-Reportable Yes/No

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