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APHC010502972026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3330]
(Special Original Jurisdiction)

WEDNESDAY, THE 11th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION Nos. 27455, 27450, 27462 and 27464 of 2026

W.P. No.27455 of 2026:

BETWEEN:

1. ST. MARYS SCHOOL OF NURSING, REP. BY ITS PRINCIPAL. K. KEJIYA COLLEGE AT D.NO.15-4-9, BAPUJI NAGAR. KOVVUR, PRESENTLY EAST GODAVARI DISTRICT. ANDHRA PRADESH. **...PETITIONER**

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, HEALTH, MEDICAL AND FAMILY WELFARE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.522238
2. THE INDIAN NURSING COUNCIL, REP. BY ITS SECRETARY COMBINED NURSING BUILDINGS, KOTIA ROAD, TEMPLE LINE, NEW DELHI- 110002
3. THE DIRECTOR OF MEDICAL EDUCATION AND EXOFFICIO PRESIDENT AP NURSES, MIDWIVES, AUXILIARY NURSE-MIDWIVES AND HEALTH VISITORS COUNCIL (APNMC), OLD GOVERNMENT GENERAL HOSPITAL BUILDINGS, HANUMANPET, VIJAYAWADA- 520 002
4. DR NTR UNIVERSITY OF HEALTH SCIENCES, REP. BY ITS REGISTRAR, VIJAYAWADA, ANDHRA PRADESH.520001
5. THE DISTRICT MEDICAL HEALTH OFFICER, EAST GODAVARI DISTRICT, A.P.533001. **...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 to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring 18.09.2026 order No. APNMC/SON/SI/7186/2026 dated Respondent No.3 in issued by cancelling the permission/recognition and renewal granted to petitioner, any action taken thereon, as violative of principles of natural justice arbitrary, illegal, unjust, colourable exercise of power, violative of The AP Nurses made thereunder. and Midwives (Extension and Amendment) Act, 1964, rules The AP Private colleges of Nursing (Grant of Permission to Private Colleges or Institutions Rules, and and Admission into B.Sc. Nursing courses) Fundamental Rights guaranteed under Article 14 and 19 of The Constitution of India and consequently set aside the said order dated 18.09.2026, and pass such other order or orders.

Counsel for the Petitioner:

1. PAWAN KUMAR MALAPATI

Counsel for the Respondent(S):

1. GP FOR MEDICAL HEALTH FW
2. Tata Venkata Sridevi,Standing Counsel For Dr.NTR University of Health Sciences

WRIT PETITION No. 27450/2026

BETWEEN:

1. SIVA SAI SCHOOL OF NURSING, REP. BY ITS PRINCIPAL, M. ANUSHA COLLEGE AT D.NO.70-3-48/4, VAIDYANAGAR, KAKINADA,KAKINADA DISTRICT, ANDHRA PRADESH

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, HEALTH, MEDICAL AND FAMILY WELFARE DEPARTMENT,SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.522238

2. THE INDIAN NURSING COUNCIL, , REP. BY ITS SECRETARY COMBINED NURSING BUILDINGS, KOTLA ROAD, TEMPLE LINE, NEW DELHI - 110002
3. THE DIRECTOR OF MEDICAL EDUCATION AND EXOFFICIO PRESIDENT AP NURSES, MIDWIVES, AUXILIARY NURSE-MIDWIVES AND HEALTH VISITORSCOUNCIL (APNMC), OLD GOVERNMENT GENERAL HOSPITAL BUILDINGS,HANUMANPET, VIJAYAWADA 520 002
4. DR NTR UNIVERSITY OF HEALTH SCIENCES, REP. BY ITS REGISTRAR, VIJAYAWADA, ANDHRA PRADESH 520001
5. THE DISTRICT MEDICAL HEALTH OFFICER, EAST GODAVARI DISTRICT, A.P.533001. **...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 to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring order No.APNMC/SON/S1/616/2026 dated 18.09.2026 issued by Respondent No.3 in cancelling the permission/recognition and renewal granted to petitioner, any action taken thereon, as arbitrary, illegal, unjust, violative of principles of natural justice, colourable exercise of power, violative of The AP Nurses and Midwives (Extension AND Amendment) Act, 1964, rules made thereunder, The AP Private colleges of Nursing (Grant of Permission to Private Colleges or Institutions and Admission into B.Sc. Nursing courses) Rules, and Fundamental Rights guaranteed under Article 14 and 19 of The Constitution of India and consequently set aside the said order dated 18.09.2026 and pass such other order or orders.

Counsel for the Petitioner:

1. PAWAN KUMAR MALAPATI

Counsel for the Respondent(S):

1. G.ARUN SHOWRI(CENTRAL GOVT. COUSEL)
2. GP FOR MEDICAL HEALTH FW

WRIT PETITION No: 27462/2026

BETWEEN:

1. SUDHA SCHOOL OF NURSING, REP. BY ITS PRINCIPAL, T. SOWJANYA KUMARI COLLEGE AT D.NO.70-3-34/4, VAIDYANAGAR, KAKINADA, KAKINADA DISTRICT, ANDHRA PRADESH. **...PETITIONER**

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, HEALTH, MEDICAL AND FAMILY WELFARE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.522238
2. THE INDIAN NURSING COUNCIL, REP. BY ITS SECRETARY COMBINED NURSING BUILDINGS, KOTLA ROAD, TEMPLE LINE, NEW DELHI - 110002
3. THE DIRECTOR OF MEDICAL EDUCATION AND EXOFFICIO PRESIDENT AP NURSES, MIDWIVES, AUXILIARY NURSE-MIDWIVES AND HEALTH VISITORS COUNCIL (APNMC), OLD GOVERNMENT GENERAL HOSPITAL BUILDINGS, HANUMANPET, VIJAYAWADA 520 002
4. DR NTR UNIVERSITY OF HEALTH SCIENCES, REP. BY ITS REGISTRAR, VIJAYAWADA, ANDHRA PRADESH.520001
5. THE DISTRICT MEDICAL HEALTH OFFICER, EAST GODAVARI DISTRICT, A.P.533001

...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 to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring order No.APNMC/SON/SI/4034/2026 dated 18.09.2026 issued by Respondent No.3 in cancelling the permission/recognition and renewal granted to petitioner, any action taken thereon, as arbitrary, illegal, unjust, violative of principles of natural justice, colourable exercise of power, violative of The AP Nurses and Midwives (Extension and Amendment) Act, 1964, rules made thereunder, The AP Private colleges of Nursing (Grant of Permission to Private Colleges or Institutions and Admission into B.Sc. Nursing courses) Rules, and Fundamental Rights guaranteed under Article 14 and 19 of The Constitution of India and consequently set aside the said order dated 18.09.2026 and pass such other order or orders.

Counsel for the Petitioner:

1. PAWAN KUMAR MALAPATI

Counsel for the Respondent(S):
1. V VENKATA CHAITANYA CENTRAL GOVT COUNSEL
2. GP FOR MEDICAL HEALTH FW

WRIT PETITION No. 27464/2026

BETWEEN:

1. SRI VENKATESWARA COLLEGE OF NURSING, REP. BY ITS PRINCIPAL, MIDHIPATI MADHURI COLLEGE AT D.NO. 70-3-48/3A, VAIDYANAGAR, KAKINADA, KAKINADA DISTRICT, ANDHRA PRADESH

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, HEALTH, MEDICAL AND FAMILY WELFARE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.522238
2. THE INDIAN NURSING COUNCIL, REP. BY ITS SECRETARY COMBINED NURSING BUILDINGS, KOTLA ROAD, TEMPLE LINE, NEW DELHI - 110002
3. THE DIRECTOR OF MEDICAL EDUCATION AND EXOFFICIO PRESIDENT AP NURSES, MIDWIVES, AUXILIARY NURSE-MIDWIVES AND HEALTH VISITORS COUNCIL (APNMC), OLD GOVERNMENT GENERAL HOSPITAL BUILDINGS, HANUMANPET, VIJAYAWADA 520 002
4. DR NTR UNIVERSITY OF HEALTH SCIENCES, REP. BY ITS REGISTRAR, VIJAYAWADA, ANDHRA PRADESH.520001
5. THE DISTRICT MEDICAL HEALTH OFFICER, EAST GODAVARI DISTRICT, A.P.533001

...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 to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring order No.APNMC/CON/SI/5145/2026 dated 18.09.2026 issued by Respondent No.3 in cancelling the permission/recognition and renewal granted to petitioner, any action taken thereon, as arbitrary, illegal, unjust, violative of principles of natural justice, colourable exercise of power, violative of The AP Nurses and

Midwives (Extension and Amendment) Act, 1964, rules made thereunder, The AP Private colleges of Nursing (Grant of Permission to Private Colleges or Institutions and Admission into B.Sc. Nursing courses) Rules, and Fundamental Rights guaranteed under Article 14 and 19 of The Constitution of India and consequently set aside the said order dated 18.09.2026 and pass such other order or orders.

Counsel for the Petitioner:

1. PAWAN KUMAR MALAPATI

Counsel for the Respondent(S):

1. KONA N.D.V.RAMANA RAO
2. GP FOR MEDICAL HEALTH FW

The Court made the following:

COMMON ORDER:

Since, the issues involved in all these cases are identical in nature, these writ petitions are heard analogously and are decided by common order. For the sake of convenience, the facts in W.P. No.27455 of 2026 are being taken for disposal of all these writ petitions.

2. The 3rd respondent vide impugned proceedings dated 18.09.2026, has canceled the recognition granted to run the institutions as the institutions are running in violation of Andhra Pradesh Nursing and Midwives Council (APNMC) and Indian Nursing Council (INC) norms. The said impugned order dated 18.09.2026 is under challenge in these present Writ Petitions.

3. Irrespective of some factual matrix in between the students and the management of the institutions, the facts stated in the affidavit filed in support of the writ petition are that a surprise inspection was conducted on 09.08.2026 by a Committee constituted on the complaint given by the State Government and found certain lapses broadly, the petitioner-institution were not maintaining class room facilities, washrooms facilities and the washrooms were unhygienic, hostel facilities were in a chaotic and shamble and students they themselves were cleaning the hostels with the materials brought by

them, no water supply to the institution, collecting more fee than the prescribed fee and committee noticed that the Colleges/Schools Management were not demonstrating the necessary interest and responsibilities in effectively running the institutions. The clinical facilities are inadequate and the Student Patient Ratio is not maintained as per norms. Despite the institution's failure to meet the minimum requirements prescribed by the Government vide G.O.Ms.No.145, dated 18.05.1998, the Indian Nursing Council, and this Council, no significant effort has been made to address these deficiencies. Because this lack of action negatively impacts the institution’s functioning and the overall academic environment, the 3rd respondent has issued a show-cause notice dated 19.08.2026 signed on 22.08.2026 calling for an explanation.

4. The petitioner-Institution has submitted the explanation dated 31.08.2026 itemized and requested to drop the proceedings and prayed the competent authority to kindly consider the explanation submitted by the petitioner-institution and drop /close further proceedings against the College of nursing and other concerned institutions, as applicable, in the interest of justice and in the larger public interest. Further stated that management committed to complying with all applicable statutory and regulatory requirements

and to extend full cooperation of the competent authorities in all future inspections and proceedings.

5. The 3rd respondent has passed impugned order 18.09.2026 “cancelling the recognition granted to the institutions” which are under challenge now in these Writ Petitions.

6. The said impugned order is challenged on the following grounds:

7. That the petitioner-institution is duly recognized and accorded permission by the 1st respondent vide G.O.Ms.No.112 dated 18.03.1996, for imparting education in General Nursing and Midwifery (GNM) course, following the guidelines issued by the respondent Nos.2 and 3. The petitioner-institution has been operating for three decades, a vast number of its students have been successfully graduated, thereby catering to the needs of the healthcare sector in India and abroad and the respondent authorities are renewing the permission from time to time without any objection and the application for renewal is pending with the respondents.

8. It is submitted that the 3rd respondent has issued the show-cause notice dated 19.08.2026 with pre-determined mind and the same is evident by the proceedings of the respondents and signature containing in the show-cause notice dated 22.08.2026, issued

through email on 22.08.2026 pointing out certain irregularities and directed to rectify them within three days. However, a reading of the show-cause notice, it indicates that the authority already decided to cancel the permission with a predetermined notion and issuance of notice is nothing but an empty formality, though it styled as notice it can be treated as an order. And the said notice was issued by political pressure and the respondent authorities should exercise their power in bonafied and public interest and not to act under political pressure. And the respondent authority should exercise their power bonafied with responsibility in confirmation to rule of law. In the present case, the respondent authorities have acted in the light of the telephonic complaint given by local MLA and the act of the respondents would clearly demonstrate i.e. nothing but colourable exercise of power apart from arbitrary, illegal and unjust.

9. And the explanation submitted by the management is carefully examined by the authorities and no reference was made to the reply given by the petitioner except saying that it is not satisfactory.

10. A physical enquiry conducted by the Registrar, APNMC on 23.08.2026 (Sunday), it is unfortunate to say that no notice was issued for fixing a date for hearing or enquiry, much less physical enquiry and that day being holiday and the petitioner had no occasion

to visit the office of the Registrar, APNMC at Vijayawada and the enquiry reveals that the officer has conducted enquiry on a public holiday. And the enquiry i.e. conducted by the RDO is in violation of basic standards and he has no power or jurisdiction to run or administer the petitioner and the enquiry conducted by the RDO is not seen light of the day much less permission to the petitioner and relying upon such report of the authority to cancel renewal is nothing but abuse of process of law, it causes irreparable loss to the petitioner. Furthermore, the allegation that these institutions are operating within a single building is false and misleading; the fact remains that separate buildings exist for each institution. Consequently, the present writ petition is filed. Hence, the petitioner files this writ petition, praying that this Honourable Court to take judicial notice of the fact that the show-cause notice operates on an entirely different footing than the reasons assigned in the impugned order." Hence, prayed to set aside the impugned order and relied on the judgment of the Apex Court in the case of ***State of Orissa Appellant v. Dr. (Miss) Binapani Dei and others reported in AIR 1967 SC 1269*** for the proposition that *"the rule that a party to whose prejudice an order is intended to be passed is entitled to a hearing applies to judicial tribunals and bodies of persons invested with authority to adjudicate upon matters involving civil consequences. It*

is one of the fundamental rules of our constitution 'setup that every citizen is protected against exercise of arbitrary authority by the State or its officers. Duty to act judicially would therefore arise from the very nature of the function intended to be perform; it need not be shown to be super-added. If there is power to decide and determine to the prejudice of a person, duty to act judicially is implicit in the exercise of such power. If the tails of justice be ignored and an order to the prejudice of a person is made, the order is a nullity. That is a basic concept of the rule of law and importance thereof transcends the significance of a decision in any particular case."

11. And also relied on the judgment of the Hon'ble Apex Court, in the case of ***Oryx Fisheries Private Limited v. Union of India and others*** reported in **(2010) 13 SCC 427** wherein, the Supreme Court reasoned that a quasi judicial authority has to disclose the reasons in support of its order. Placing reliance on the judgment of the Hon'ble Apex Court in ***Kranti Associates (P) Limited & another v. Masood Ahmed Khan & others*** reported in **(2010) 9 SCC 496** the Apex Court after considering various judgments formulated certain principles at paragraph No.47 of the Judgment which are set out below:

> "(a) In India the judicial trend has always been to record reasons, even in administrative decisions, if such decisions affect anyone prejudicially.

(b) A quasi-judicial authority must record reasons in support of its conclusions.

(c) Insistence on recording of reasons is meant to serve the wider principle of justice that justice must not only be done it must also appear to be done as well.

(d) Recording of reasons also operates as a valid restraint on any possible arbitrary exercise of judicial and quasi-judicial or even administrative power.

(e) Reasons reassure that discretion has been exercised by the decision-maker on relevant grounds and by disregarding extraneous considerations.

(f) Reasons have virtually become as indispensable a component of a decision-making process as observing principles of natural justice by judicial, quasi-judicial and even by administrative bodies.

(g) Reasons facilitate the process of judicial review by superior courts.

(h) The ongoing judicial trend in all countries committed to rule of law and constitutional governance is in favour of reasoned decisions based on relevant facts. This is virtually the lifeblood of judicial decision-making justifying the principle that reason is the soul of justice.

(i) Judicial or even quasi-judicial opinions these days can be as different as the judges and authorities who deliver them. All these decisions serve one common purpose which is to demonstrate by reason that the relevant factors have been

objectively considered. This is important for sustaining the litigants' faith in the justice delivery system.

(f) Insistence on reason is a requirement for both judicial accountability and transparency.

(k) If a judge or a quasi-judicial authority is not candidenough about his/her decision-making process then it is impossible to know whether the person deciding is faithful to the doctrine of precedent or to principles of incrementalism.

12. On the other hand the 3rd respondent has filed counter affidavit stating that a surprise inspection was conducted, and in the said inspection the Committee found irregularities and improper maintenance of hostels and interacted with the students in the hostel and got complaints regarding hostel maintenance and food, water and classes and in the enquiry it is found that there are two nursing colleges and four nursing schools at given address without any name board and there is no laboratory or library, in adequate class rooms facilities, insufficient seating, fans and lighting, poor hostel facilities, no proper drinking water, dining hall, nutrition food, hygiene wash rooms are wanton for boys hostel and there is no water supply and the students have submitted their grievances stating that the petitioner-institution operating six institutions (two colleges and four schools) including SK, RK, Siva Sai, St. Mary’s, Sudha) out of a single building only four class rooms, five faculty members for six

institutions with zero faculty and zero management person during inspection and building lacks laboratory, broken benches and missing lights and fans and fail to provide mandatory clinical tests at hospitals and collecting huge amounts, demanding arbitrarily extra fees/fines and the report submitted by the Revenue Divisional Officer, Kakinada, is clearly indicates the same and the explanation that submitted by the petitioner was stated that not violated, any norms governing rules and further stated that the petitioner-institution is maintaining all facilities as per the statutory and prescribed health and safety standards. However, on the ground level situation is completely different as found by the inspection committees and the Revenue Divisional Officer having not been satisfied with the explanation of the petitioner dated 31.08.2026 and the officer has issued impugned proceedings dated 18.09.2026. Hence, prayed to dismiss the writ petition.

13. The petitioner college filed reply affidavit to the counter affidavit filed by the 3rd respondent and denied all the contentions raised by the 3rd respondent.

14. The 3rd respondent has filed an additional counter affidavit stating that the impugned order was passed after following procedure established under Rule 16, G.O.Ms.No.316 and principles of natural

justice. The explanation dated 31.08.2026 was examined and found unsatisfactory and only thereafter the impugned order was passed.

15. Heard learned designated senior counsel Sri O. Manoher Reddy assisted by learned counsel Sri M. Pawan Kumar, for the petitioner and learned Government Pleader for Medical and Health, for respondents.

16. Learned senior counsel for petitioner reiterating the affidavit contents had emphatically argued that the order is predetermined mind with the influence of the local MLA and the dates mentioned in the show-cause notice is evident and according to Rules 15 and 16, the rules framed for regulation of grant of permission to the private Schools of Nursing and other matters connected therewith rules vide G.O.Ms. No.313, dated 16.08.1997, the power is vested with State Government to de-recognise the institution.

17. The learned Government pleader would submit that petitioner institution utterly neglected its conditions and abandoned the students. Further argued, *interalia, that* proper hygienic standards were not maintained and that permission from the Indian Nursing Council is mandatory to run the B.Sc. Nursing course. *Audi alteram partem* rule cannot be put in a strait-jacket formula. Applicability of these rules depends upon the facts and circumstances

relating to each particular given situation Thus, there is exclusion of the application of *audi alteram partem* rule to cases where nothing unfair can be inferred by not affording an opportunity to present and meet a case. This rule cannot be applied to defeat the ends of justice or to make the law 'lifeless, absurd, stultifying and self-defeating or plainly contrary to the common sense of the situation' and this rule may be jettisoned in very exceptional circumstances where compulsive necessity so demands and the validity of the order has to be decided on the touchstone of the prejudice. The ultimate test is always the same viz., the test of prejudice or the test of fair hearing. To fortify his argument placed reliance on the following judgments: (1) State of Maharashtra Vs Sant Dnyaneshwar Shikshan Shastra Mahavidyalaya and others reported in (2006) 9 SCC 1 : (2) Dhodha House Vs S.K. Maingi reported in (2006) 9 SCC 41: (3) ***Dharampal Satyapal Vs Deputy commissioner central Excise*** *reported in* (2005) 7 SCC 725: (4) K D Sharma Vs Steel Authority of India Limited and others reported in (2008) 12 SCC 481. (5) E.P. Royappa Vs State of Tamilnadu and another reported in (1974) 4 SCC 3.

18. The main emphasis of the petitioner institution is that the petitioner's college has substantially complied with all the formalities and has got all infrastructure as per the norms, except no objection certificate from the Government and the same is pending with State

Government for the current year and State Midwives Council granted approval to various disciplines, no authority was given to the Indian Nursing Council for conducting inspection as to clinical facilities and Student Patient ratio in the college and it was vested with State Government. The functions of the Indian National Council is that to fix the courses to the institutions and on receipt of the proposal from the Institution to start a School/College of Nursing, will undertake the first inspection of the proposed Institute to assess its suitability with regard to physical infrastructure, clinical facility and teaching faculty, and the decision of INC as regards the suitability of the Institution and the number of seats for each programme shall be final and it was never with the Indian National Council and no principles of natural justice has been followed and it is done in predetermined mind and the authorities under the Act have not properly considered the explanation offered by the petitioners, hence prayed to set aside the impugned order.

19. Sub-section (1) of Section 13 of the Act authorises the National Council to inspect any institution which is recognised as a training institution, (obviously by some local representative as the Central Act does not contemplate any such recognition of any institute by the National Council). Sub-section (2) of Section 13 contemplates a report of the inspection to the Executive Committee of the National

Council regarding the suitability of the institution for the purposes of training and adequacy of the training therein or on the sufficiency of the examinations conducted by such institutions. Section 14 authorises the National Council to withdraw recognition of the qualifications granted or impose restrictions on such qualifications after following procedures specified in Section 14. Section 16 of the Act authorises the Council to make regulations generally to carry out the provisions of the Act.

20. In ***Tata Cellular v. Union of India*** [(1994)6 S.C.C. 651], the Supreme Court held that broad grounds of Judicial review are illegality, irrationality and procedural impropriety, following the decision reported in R.V.Tower Hamlets London Borough Council, ex. P. Chetnik Developments Ltd.[(1988) 1 All E.R.961, the Supreme Court quoted Wednesbury Principle for judicial interference, which reads as follows:

> "Wednesbuury Principle.- A decision of a public authority will be liable to be quashed or otherwise dealt with by an appropriate order in judicial review proceedings where the court concludes that the decision is such that no authority properly directing itself on the relevant law and acting reasonably could have reached it. (Associated Provincial Picture Houses Ltd. v. Wednesbury Corpn., per Lord Greene, M.R.)".

21. In the above decision the Apex Court has observed the facet of "irrationality as follows".

> "It is open to the court to review the decision-maker's evaluation of the facts. The court will intervene where the facts taken as a whole could not logically warrant the conclusion of the decision-maker . If the weight of facts pointing to one course of action is overwhelming, then a decision the other way, cannot be upheld.

22. The surprise inspection that was conducted without prior notice in the absence of the representatives of the petitioners' institutions. And the impugned order doesn't show that the explanation was properly considered, rather, it manifests that the authorities have acted on political pressure. Additionally, the complaints received from students following the inspection and show-cause notice make it obvious that they are trying to reinforce their illegalities. All of these hurried inspections clearly indicate that the respondents acted with a predetermined mind to de-recognize the institution. The administrative authority must exercise their authority bona fide and in public interest with responsibility. The discretionary power does not mean arbitrary power. It must conform to rule of law. Therefore, this Court find that the respondents have wrongly exercised the discretion conferred upon the respondents. The exercise of power or authority in

such a manner as not to frustrate the object of conferring such a discretion.

23. This Court is of the opinion that the purported action of the respondents is only a consequence of predetermined mind of the respondents. Therefore, in the instant case, the only way open is to direct the respondents to take a fresh decision, after obtaining a correct inspection report after following the procedure as established by law. Till such time the impugned order is put under abeyance. Needles to say that entire process shall be done within 4 weeks from date of receipt of the order.

24. Accordingly, these Writ Petitions are disposed of. There shall be no order as to costs.

As a sequel, interlocutory applications, if any, pending in these writ petitions shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 11.11.2026

Note: Office is directed to issue separate order in each writ petition.

Harin

29

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION Nos. 27455, 27450, 27462 and 27464 of 2026

Date: 11-11-2026

Harin