APHC010525342026

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

MONDAY, THE 5th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 28540/2026

Between:

1. SRI. BADUGU AMRUTA KUMAR, S/O B. BENJIMEN, AGED ABOUT 49 YEARS OCCUPATION LECTURER IN SOCIAL SCIENCES, D.NO.10-7-1, SIVAJI ROAD, INDRAPALEM, KAKINADA RURAL EAST GODAVARI DISTRICT - 533006, ANDHRA PRADESH

2. SRI. POTU SRINIVASU, S/O POTU VENKATA RAO, AGED ABOUT 53 YEARS OCCUPATION LECTURER IN TELUGU, D.NO.10-96, S.C. PETA, GODDATIPALEM, KARAPA MANDALAM Z. BHAVARAM, KAKINADA DISTRICT - 533462, ANDHRA PRADESH

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY TO GOVERNMENT HIGHER EDUCATION DEPARTMENT, SECRETARIAT BUILDINGS VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT, ANDHRA PRADESH.

2. ADIKAVI NANNAYA UNIVERSITY, REPRESENTED BY ITS REGISTRAR RAJA RAJA NARENDRA NAGAR RAJAMAHENDRAVARAM 533296 EAST GODAVARI DISTRICT, ANDHRA PRADESH.

3. THE DEAN, COLLEGE DEVELOPMENT COUNCIL ADIKAVI NANNAYA UNIVERSITY RAJA RAJA NARENDRA NAGAR RAJAMAHENDRAVARAM 533296 EAST GODAVARI DISTRICT, ANDHRA PRADESH.

4. ST MARYS COLLEGE OF EDUCATION, REPRESENTED BY ITS

CORRESPONDENT 1-36, SARPAVARAM, KAKINADA RURAL-5 EAST GODAVARI DISTRICT - 533005, 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 toissue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of Respondent Nos.2 and 3 in not considering the ratification of the candidature of the Petitioners as teaching faculty in the concerned B.Ed. College for the academic year 2026-27, solely on the ground of non-possession of NET/SET/APSET qualification, notwithstanding the fact that the Respondent University had scrutinised their educational qualifications and continuously ratified and approved their candidature during the preceding academic years, and without issuing any prior notice, without affording any reasonable opportunity of explanation and without passing any written and reasoned order, as illegal, arbitrary, unreasonable, disproportionate, violative of the principles of natural justice and Articles 14 and 21 of the Constitution of India, and consequently direct Respondent Nos.2 and 3 to consider and ratify the candidature of the Petitioners for the academic year 2026-27 by granting them a reasonable period to acquire the requisite NET/SET/APSET qualification,

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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 direct Respondent Nos.2 and 3 to permit the Petitioners to participate in the Staff Ratification process of the 4th Respondent St. Mary's College of Education under the ongoing Staff Ratification exercise, receive and verify their original educational certificates and other documents, process and keep their ratification cases alive provisionally for the Academic Year 2026-27, pending disposal of the Writ Petition

Counsel for the Petitioner(S):

1. SRI VIJAY MATHUKUMILLI

Counsel for the Respondent(S):

1. GP FOR HIGHER EDUCATION

The Court made the following Order:

The petitioners are aggrieved by the circular dated 15.09.2026 whereby the staff ratification process has scheduled from 25.09.2026 to 30.09.2026. It is submitted that the staff are required to qualify in TET/NET for ratification in terms of the latest NCTE norms. It is submitted that the petitioners have not qualified for NET/SET/APSET however they have been imparting education without any complaint to their best ability. It is submitted that the petitioners still have substantial service left. However, staff ratification process in terms of the latest NCTE norms would mandate the petitioners to qualify in NET/SET/APSET.

2. Learned counsel for the petitioners also submits that the issue was considered by this Court in Writ Petition 30764 of 2023 and batch and the learned Single Judge of this Court had considered the observations of the Hon'ble Supreme Court in **Anjuman Ishaat-e-Taleem Trust Vs. State of Maharastra**[1] and others and held that reasonable time ought to be granted for the In-service teachers for qualifying the TET/SET/APSET/NET examination and two years time was granted for in service candidates to qualify in the TET/SET/NET. It is submitted that the petitioners are in-service and as on date non-ratification of their service would render them jobless and their livelihood is at stake.

[1] **(2025 Livelaw (SC) 861)**

3. Sri Gaddee Koti Nagulu, the learned Standing counsel for respondent Nos. 2 and 3 submits that the circular dated 15.09.2026 was issued in accordance with the latest NCTE norms dated 03.12.2024 which have mandated the staff ratification process and the staff would have to qualify in the SET/NET examination and any staff who does not qualify the SET/NET examination cannot be considered for staff ratification in terms of the latest circular of NCTE. However, the service of the petitioners is not in dispute.

4. Considering these submissions and considering the order passed by the learned Single Judge in the Writ Petition No.30764 of 2023 and batch, the writ Petitions are disposed of by permitting the petitioners to qualify the NET/SET/APSET as and when the said examination is conducted by the respondent authorities. At any rate the petitioners shall have to qualify and obtain the requisite qualification within in the period of two (2) years from the date of receipt of copy of this order.

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

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JUSTICE HARINATH.N

05.10.2026
RJS/ych

HON'BLE SRI JUSTICE HARINATH.N

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Dt: 05.10.2026

RJS/ych