APHC010537152026

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

THURSDAY, THE 8th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 29237 OF 2026

Between:

1. MADHULA RADHA RANI, W/o Maddula Narendra Kumar, Aged about 48 years Occupation Lecturer in Mathematics, Harsha Dream Homes, Eluru Mandal, Eluru district, Andhra Pradesh.

...Petitioner

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.522238

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. Sir CRR College of Education, Represented by its Secretary and Correspondent Eluru, Eluru District, Andhra Pradesh.534001

...Respondents

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 a Writ of Mandamus, declaring the action or proposed action of the 2nd and 3rd Respondents in refusing to receive, scrutinise and individually consider the candidature of the Petitioner, Radharani, Lecturer in Mathematics in the 4th Respondent college for Staff Ratification for Academic Year 2026-27 solely for non-possession of NET/SET/APSET, and without examining the appointment and Joining Report dated 30-06-2021, the 2023-24 and 2024-25 University-endorsed staff proformas, the differences in recorded name order, subject description and joining-date format, without affording an opportunity of explanation and without passing an individual speaking order, as arbitrary, unreasonable and violative of Articles 14 and 21 of the Constitution of India and the principles of natural justice and consequently direct the 2nd and 3rd Respondents to verify all original records, determine eligibility in accordance with the binding NCTE Regulations, consider his candidature and any legally permissible, finite and conditional opportunity to acquire the prescribed eligibility qualification, without conferring an automatic or permanent exemption

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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 the 2nd and 3rd Respondents to process and keep his candidature alive for provisional or further consideration in the Staff Ratification exercise of the 4th Respondent college for Academic Year 2026-27 pending disposal of writ petition

Counsel for the Petitioner: SRI VIJAY MATHUKUMILLI

Counsel for the Respondents: GP FOR HIGHER EDUCATION

The Court made the following order:

The petitioner is 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 petitioner has not qualified for NET/SET/APSET however she has been imparting education without any complaint to her best ability. It is submitted that the petitioner still has substantial service left. However, staff ratification process in terms of the latest NCTE norms would mandate the petitioner to qualify in NET/SET/APSET.

2. Learned counsel for the petitioner 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 petitioner 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 Petition is disposed of by permitting the petitioner to qualify the NET/SET/APSET as and when the said examination is conducted by the respondent authorities. At any rate the petitioner 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

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