



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

[3327]

TUESDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 27497/2025

Between:

1. VIKAS B PED COLLEGE, REP BY ITS CORRESPONDENT SRI. SHAIK SUBHAN BASHA GANGANAPALLE, KADAPA MANDAL KOMMADINNE, ANDHRA PRADESH- 516003.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY TO GOVERNMENT DEPARTMENT OF HIGHER EDUCATION, TULLURU, SECRETARIAT BUILDINGS VELAGAPUDI, GUNTUR DISTRICT.
2. THE ANDHRA PRADESH HIGHER EDUCATION REGULATORY AND MONITORING COMMISSION, GOVERNMENT OF ANDHRA PRADESH REP BY ITS MEMBER-SECRETARY 3RD FLOOR, SREE MAHENDRA ENCLAVE, NRI BLOCK (C-BLOCK). NH-16, TADEPALLI, GUNTUR DISTRICT - 522501.

...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 more in the nature of Writ of Mandamus declaring the action of the Respondents in not determining and notifying the tuition fee to the Petitioner institution for the block period 2025-26, despite granting of statutory permission from the competent authorities, as being arbitrary, illegal and violative of Articles 14 and 19 of the Constitution of India and violative of A.P. Educational Institutions (Regulations of Admissions and Prohibition of Capitation Fee) Act 1983 and the Andhra Pradesh Higher Education Monitoring and

Regulatory Commission Act and Rules, Regulations framed therein and consequently direct the Respondents to determine the fee structure for the Petitioner institution and notify the same and issue such other writ or order or direction as deemed fit and proper in the circumstances of case.

Counsel for the Petitioner:

1. SRI VIJAY MATHUKUMILLI

Counsel for the Respondent(S):

1. GP FOR HIGHER EDUCATION

The Court made the following:

ORDER: -

Heard arguments of Sri Mathukumilli Srivijay, Learned Counsel for Writ Petitioner, Sri Rama Chandra Rao Gurram, Learned Government Pleader for Higher Education and Sri Vivekananda Virupaksha, Learned Standing Counsel for Respondent No.2.

2. The present Writ Petition is filed seeking the following relief: -

“It is prayed that this Hon'ble Court may be pleased to issue an appropriate writ more in the nature of Writ of Mandamus declaring the action of the Respondents in not determining and notifying the tuition fee to the petitioner institution for the block period 2025-26, despite granting of statutory permission from the competent authorities, as being arbitrary, illegal and violative of Articles 14 and 19 of the Constitution of India and violative of A.P. Educational Institutions (Regulations of Admissions and Prohibition of Capitation Fee) Act 1983 and the Andhra Pradesh Higher Education Monitoring and Regulatory Commission Act and Rules, Regulations framed therein and consequently direct the Respondents to determine the fee structure for the Petitioner institution and notify the same and issue such other writ or order or direction as deemed fit and proper in the circumstances of case.”

3. Learned Counsel for Writ Petitioner and Learned Counsel for Respondents had drawn the attention of this Court to the Order passed by the Division Bench of this Court in W.A.No.607 of 2023, dated 21.06.2023. Learned Counsel for all the parties are unanimous that the directions given by the Division Bench of this Court in Paragraph No.13 of its Order dated 21.06.2023 would serve the purpose and based on such directions, the present Writ Petition can be disposed of.

4. Learned Counsel for Writ Petitioner also placed on record another similar Order passed by a Learned Single Bench of this Court in W.P.No.15200 of 2025, dated 26.06.2025 wherein, it is noticed by this Court that the directions given by the Division Bench have been re-produced in verbatim.

5. Having regard to the directions of the Division Bench, as followed by the Learned Single Judge, this Court deems it appropriate to dispose of this Writ Petition in terms of the directions rendered by the learned Single Bench in W.P.No.15200 of 2025 dated 26.06.2025. Accordingly,

i. The petitioner/college is directed to furnish all the data as required by the Commission for fixing the fee for the block period 2025-26 to 2026-27 along with representation (if not submitted) by paying the processing fee with penalty as suggested in the notification within a period of one week from today.

ii. On receipt of the same, the Commission is directed to process the representation of the petitioner, immediately on or before commencement of the upcoming counseling.

iii. The State and the Commission are directed to receive the relevant data submitted by the petitioner/college as per notification dated 30.06.2022 and the Commission shall tentatively fix the fee that can be collected by the college(s), for the courses offered, on par with the minimum fee that is being fixed in the colleges in the State and recommend the same to the State Government in five days.

iv. The said minimum fee fixed, shall be treated as a tentative fee and the correct fee would be fixed by the Commission after due processing of the data submitted by the college.

v. After receiving the request from the Commission, the State Government shall display the petitioner/college in the list of colleges at official website for participating in the upcoming web counselling in APEAMCET courses for the present Academic Year 2025-26.

vi. The State Government, shall caution the students, taking admission into the courses offered by the colleges, by informing the students that the fee shown in the admission process, which is being collected initially, is a tentative fee and shall be subject to further change depending upon the final fee that would be fixed by the Commission.

vii. The Commission may also consider early fixation of the final fee that can be collected by the college for the block period 2025-26 to 2026-27.

6. With the above directions, the present Writ Petition is disposed of.
No costs.

Miscellaneous petitions, pending, if any, shall stand closed.

K. SREENIVASA REDDY, J.

Date:07.10.2025

Note: -

Issue C.C. by 08.10.2025

B/o

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15

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 27497 of 2025

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