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Vasavi College of Engineering

(Autonomous)

(Sponsored by Vasavi Academy of Education)
(Affiliated to Osmania University & approved by AICTE)
9-5-81, Ibrahimbagh, Hyderabad 500 031, India, www.vce.ac.in

7th September, 2017

Sub : Tuition fee for the block period 2016-17 to 2018-19 – Payment by 2016-17 & 2017-18 admitted B.E. students – Reg.

It is informed that by Order dated 27th June, 2017 in W.A.M.P. No.1554 of 2017 in Writ Appeal No. 798 of 2017 filed by the State and the TAFRC challenging the Order of the Hon'ble Single Judge in W.P. No.7596 of 2017 seeking its suspension, the Hon'ble Division Bench, the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh has *permitted the Institution & the management to collect the fee of Rs.1,60,000/- from each student.*

A copy of the above Judgment dated 27th June, 2017 referred to above is displayed on the College website.


Principal 7-9-2017


7.9.2017

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

TUESDAY, THE TWENTY SEVENTH DAY OF JUNE
TWO THOUSAND AND SEVENTEEN

:PRESENT:

THE HON'BLE SRI RAMESH RANGANATHAN, THE ACTING CHIEF JUSTICE
AND

THE HON'BLE SMT JUSTICE T. RAJANI

WAMP.NO:1554 of 2017

IN

WA.NO:798 of 2017

Between:

1. State of Telangana, Rep: by its Principal Secretary, Higher Education Department, Secretariat, Hyderabad
2. The Telangana Admissions and Fee Regulatory Committee, Rep.by it's Member Secretary, 2nd Floor, INA & FAU Campus, Opp. Mahavir Hospital, Mahavir Marg, Masab Tank, Hyderabad.

...Petitioners/Appellants

Respondents 1 & 2 in WA 798 of 2017
on the file of High Court)

AND

- 1 M/s. Vasavi Academy of Education, (Society Registered Under the AP (Telangana Area) Public Societies Act 1350 F, 9-5-81, Ibrahimbagh, Hyderabad-500031 (Rep.by it's Secretary V.M. Parthasarathi, S/o. V.Balaguruvappa).
- 2 M/s. Vasavi College of Engineering, 9-5-81, Ibrahimbagh, Hyderabad-5000314 Rep.by its Secretary V.M. Parthasarathi, S/o. V.Balaguruvappa).
- 3 P.V.Ratnam, S/o. Late P.Tataih, Member and Treasurer of Vasavi Academy of Education, R/o 188, Vasavi Nagar, Karkhana, Secunderabad-5000015.

..... Respondents (writ petitioners)

- 4 The Telangana State Council of Higher Education, Rep.by it's Secretary, 1st Floor, JNAFAU Campus, Masab Tank, Hyderabad-28
- 5 The Convener, Telangana Engineering, Agricultural and Medical Common Entrance Test (TS EAMCET-2016- Admissions), Jawaharlal Nehru Technological University, Kukatpally, Hyderabad-85.
(R4 & R5 are not necessary parties to this WA)

...Respondent(s)

(Respondents 3 & 4 in-do-)

Counsel for the Petitioners : ADDL ADVOCATE GENERAL (TG)
Counsel for the Respondents : SRI M RAVINDRANATH REDDY

Petition under Section 151 of C.P.C. praying that in the circumstances stated in the affidavit filed in the W.A. the High Court may be pleased to suspend the operation of the order 1.6.2017 in W.P.No.7596/2017, pending disposal of the Writ Appeal pending WA No. 798 of 2017 on the file of the High Court.

The Court made the following.

ORDER

Elaborate arguments were advanced by the learned Additional Advocate General for the State of Telangana and Sri M.Ravindranath Reddy, learned counsel for the respondents-writ petitioners.

Contd.....2

While the learned Additional Advocate General would submit that the learned Single Judge has donned the robes of the Telangana Admissions and Fee Regulatory Committee (TAFRC), and has fixed the fee to be collected from students in the exercise of his jurisdiction under Article 226 of the Constitution of India which is impermissible, Sri M.Ravindranath Reddy, learned counsel for the respondents-writ petitioners, would take us through various orders passed by this Court, from time to time, in support of his submission that the learned Single Judge was left with no other alternative except to undertake the task of determining the fees which the respondents-writ petitioners are entitled to collect from the students concerned.

The dispute, primarily, appears to revolve around the enhancement of fees which the respondent-colleges are entitled to collect from the students admitted to their institutions. While the TAFRC appears to have deducted the income received by the college from the expenditure incurred by them, and to have thereafter computed the annual inflation figure at 10% of the net amount, the submission of Sri M.Ravindranath Reddy, learned counsel, is that 10% enhancement towards inflation should be added to the expenditure incurred by the college; and from the total expenditure including the enhanced amount, the income received by the college should be deducted. These, among other questions, necessitate examination at the stage of final hearing of this appeal.

Earlier a learned Single Judge of this Court had, by his order in WP.No.21229 of 2013 dated 18.06.2015, accepted the expenditure incurred by the petitioner, and had directed the TAFRC to fix the fee structure accordingly. This, according to the learned counsel for the respondent-writ petitioner, would result in their being entitled to collect fees of Rs.1,40,000/-. This order of the learned Single Judge continues to remain in force, as no appeal has been preferred thereagainst till date. As the learned Single Judge has, in the order under appeal, prescribed the annual fees at Rs.1,60,000/-, the difference per student would, approximately, be Rs.20,000/- per annum.

We consider it appropriate, therefore, pending disposal of the Writ Appeal, to permit the respondents-writ petitioners to collect the fees of Rs.1,60,000/- from each student on condition that, within ten days of receipt of the fees from each of the students concerned, they shall furnish bank guarantees in favour of the Registrar (Judicial), High Court of Judicature at Hyderabad for the State of Telangana and for the State of Andhra Pradesh, for the differential amount of Rs.20,000/- per student.

Contd....3

The bank guarantees shall be kept alive during the pendency of this appeal. The respondents-writ petitioners shall also furnish a detailed statement of the fees received by them, and the bank guarantees furnished by them, to the appellants within ten days of the bank guarantees being furnished to the Registrar (Judicial) of this Court. Failure on the part of the respondent-writ petitioners to do so would enable the appellants to take action against them in accordance with law. In all the other aspects, there shall be interim suspension of the order under appeal.

Sd/- N.PURUSHOTHAM REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 V.M. Parthasarathi, S/o. V.Balaguruvappa, Secretary, M/s. Vasavi Academy of Education, (Society Registered Under the AP (Telangana Area) Public Societies Act 1350 F, 9-5-81, Ibrahimbagh, Hyderabad-500031.
- 2 V.M. Parthasarathi, S/o. V.Balaguruvappa, Secretary, M/s. Vasavi College of Engineering, 9-5-81, Ibrahimbagh, Hyderabad- 5000314.
- 3 P.V.Ratnam, S/o. Late P.Tataih, Member and Treasurer of Vasavi Academy of Education, R/o 188, Vasavi Nagar, Karkhana, Secunderabad-5000015. (1 to 3 by RPAD)
- 4 The Registrar (Judl.), High Court, Hyderabad.
- 5 One CC to Sri M.Ravindranath Reddy, Advocate (OPUC)
- 6 Two CCs to the Addl. Advocate General,(TG), High Court at Hyd. (OUT)
- 7 Two spare copies.

BJLB

HIGH COURT

HAC, J & TR, J

ORDER

DATED: 27-06-2017

WAMP NO. 1554 OF 2017

IN

WA NO. 798 OF 2017

INTERIM SUSPENSION