



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

[3460]

FRIDAY, THE THIRTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 32418/2025

Between:

1. RAYALASEEMA LAW COLLEGE, REP BY ITS
CORRESPONDENT SRI. YARRAPU REDDY ANAND
CHINTHAGUNTA VILLAGE, SANAMBATIA,
CHANDRAGIRI MANDAL, TIRUPATHI DISTRICT,
ANDHRA PRADESH.

...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 STATE COUNCIL FOR HIGHER
EDUCATION, GOVERNMENT OF ANDHRA PRADESH
REP BY ITS SECRETARY NEELADRI TOWERS, 6TH
BATTALIAN ROAD MANGALAGIRI, ANDHRA PRADESH
522503

3. SRI VENKATESWARA UNIVERSITY, REP BY ITS
REGISTRAR PRAKASAM ROAD TIRUPATHI DISTRICT,

ANDHRA PRADESH – 517502

4. SRI VENKATESWARA UNIVERSITY, REPRESENTED BY ITS DEAN COLLEGE DEVELOPMENT COUNCIL PRAKASAM ROAD TIRUPATI DISTRICT, ANDHRA PRADESH 517502
5. UNIVERSITY STANDING COMMITTEE FOR AFFILIATION, REPRESENTED BY ITS CHAIRMAN SRI VENKATESWARA UNIVERSITY PRAKASAM ROAD TIRUPATI DISTRICT, ANDHRA PRADESH 517502
6. SRI BHUPATHI NAIDU MADHALA, IMPLADED ALSO IN HIS PERSONAL CAPACITY) REGISTRAR SRI VENKATESWARA UNIVERSITY PRAKASAM ROAD TIRUPATI DISTRICT, ANDHRA PRADESH 517502
7. BAR COUNCIL OF INDIA, REP BY ITS MEMBER SECRETARY 21, ROUSE AVENUE INSTITUTIONAL AREA, NEAR BAL BHAWAN, NEW DELHI - 110 002

...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 impugned order No. C-111(4)/RLC/Affiliation/2025-26 dated 07-11-2025 as illegal, arbitrary, discriminatory and violative of principles of natural Justice and set aside the impugned rejection order and consequently direct the 3rd Respondent University to grant affiliation for the academic year 2025-26 in accordance with BCI Approval dated 10-06-2024 and further direct the Respondents to permit the Petitioner to participate in APLWCET-2025 counselling and process admissions for AY 2025-26 and issue such

IA NO: 1 OF 2025

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 may be pleased to suspend the impugned rejection order vide No. C-111(4)/ RLC/ Affiliation/ 2025-26, dated : 07-11-2025 issued by the 3rd Respondent, Sri Venkateswara University, and grant affiliation forthwith the Petitioner institution so as to enable the Petitioner institution to participate in APLAWCET-2025 counselling and admit students for the academic year 2025-26, pending Writ Petition, in the interest of justice and pass such

Counsel for the Petitioner:

- 1.SRI VIJAY MATHUKUMILLI

Counsel for the Respondent(S):

- 1.GP FOR HIGHER EDUCATION
- 2.G VENKATA REDDY
- 3.K RADHIKA
- 4.THE ADVOCATE GENERAL
- 5.RAMESH BABU TALLURI SC For
S.V.UNIVERSITY,TIRUPATI

The Court made the following:

HON'BLE SRI JUSTICE NYAPATHY VIJAY**W.P.No.32418 of 2025****O R D E R:**

The present writ petition is filed questioning the action of Respondent No.3 in issuing the order No.C-111(4) RLC/Affiliation/2025-26, dated 07.11.2025 as illegal and arbitrary.

2. The facts leading to filing of the writ petition are as follows:

Petitioner is a duly established Law College and Respondent No. 2-A.P. State Council for Higher Education (APSCHE) had issued NOC. For the academic year 2024-25, Respondent No.3-University conducted physical inspection and issued a temporary affiliation on 30.12.2023 for that academic year. While so, the Petitioner-College was denied from participating in A.P.LAWCET-2025 counselling process for admission for the academic year 2025-26 on the ground of non-grant of digital affiliation by the Respondent-University.

3. Questioning the same, Petitioner filed W.P.No.24436 of 2025 and an interim order was passed permitting the Petitioner to participate in the counselling process on 11.09.2025. In this regard, W.A.No.1118 of 2025 was filed by the University, which was disposed of by order dated 28.10.2025, setting aside the

interim order and further directing the University to conduct the inspection and pass appropriate orders thereon. Pursuant to orders of this Court in W.A.No.1118 of 2025, the Respondent-University inspected the Petitioner premises and resolved not to recommend granting affiliation due to (04) deficiencies and principal among them is the non-compliance of BCI norms for the academic year 2025-26. Hence, the present writ petition is filed.

3. As regards, the deficiencies 1 and 2 in the impugned order, it is stated that the Petitioner has built-up area of 4196.97 sq.mtrs., in block-B, situated within the boundaries of East-Road; South – Block-A which forms part of larger extent of 20 acres, out of which 4 acres have been duly earmarked and assigned for establishment of the Law College as recorded in the resolution of the managing committee. It is further stated that APSCHE, after due consideration of the entire contiguous property, including the demarcation and allocation of separate blocks, has granted No Objection Certificate for running the Law College in the said premises. It is stated that there is no statutory prohibition against operating multiple educational institutions within a common campus, provided that each institution satisfies the requisite land and building norms with identifiable demarcation. It is stated that

the Petitioner-College possesses land and built-up area far in excess of the minimum requirement and the facilities earmarked for the Law College fully comply with the regulatory prescriptions.

4. As regards deficiency No.3, it is stated that the Petitioner paid staff approval fee on 25.07.2025 and the failure of the University to act thereon cannot be to the disadvantage of the Petitioner. As regards deficiency No.4, it is stated that on internal verification, it was found that the individuals who were named therein was erroneously mapped in the University portal as being associated with another institution and avoid any ambiguity and to ensure strict faculty norms, the faculty member has been replaced with a duly qualified new faculty member and the relevant documents are enclosed thereto. As regards the second faculty member, it is stated that she is not working in any other institution and her name appears to remain in the database of the previous college due to non-deletion/non-updating of records by that institution.

5. In the counter affidavit filed by the Respondent-University, it is stated that the Petitioner suffers from fundamental and fatal difficulty of non-compliance of a mandatory requirement of separate demarcation of land and building exclusively for the Law

College as mandated under Rule 16(1)(ii) r/w Schedule III of the Bar Council of India Rules of Legal Education, 2008 and the deficiency was first identified during the University inspection on 14.10.2023 for the academic year 2024-25 and again specifically pointed out during the inspection on 04.11.2025. It is stated that even though two years were granted to the Petitioner-College, the deficiency pointed out was neglected.

6. It is stated that the Petitioner's claim of a built-up area admeasuring 4196.97 sq. mtrs., in Block-B forms part of 20 acres of which 4 acres earmarked for Law College is a blatant misrepresentation as the inspection revealed that the building was used simultaneously for multiple educational institutions without proper demarcation, boundaries or exclusive allocation of Law College. It is stated that mere marking of certain rooms and floors in the same building complex is based on a resolution of the Managing Committee claiming to earmark certain areas is insufficient as the mandatory requirement is the need of physical separate demarcation of land and building exclusively for the Law College with identifiable boundaries.

7. It is stated that the requirement of exclusive demarcation of land and building for Law College is not a mere technicality as it

goes to the root of ensuring that the Law College has dedicated infrastructure and resources exclusively available for legal education which cannot be diluted or compromised by sharing premises with other colleges and compliance with the minimum standards prescribed in Bar Council of India rules is mandatory and not directory. It is further stated that the Petitioner cannot have a vested right to continue affiliation in the absence of compliance with the mandatory norms.

8. Learned senior counsel Sri P.Veera Reddy would submit that the campus of the College is in 20 acres and there is a built-up area of 4196.97 sq.mtrs., which is far in excess of the minimum norms prescribed for running a Law College. It is submitted that the Petitioner-College has robust infrastructure and contends that there is no specific requirement of a separate building even as per the BCI norms nor there is a bar for running a multi disciplinary college. As there is no possibility of denying affiliation, the University has manufactured an objection of the requirement of a separate building. Learned senior counsel had pointed out the relevant BCI regulations to that effect which do not mandate separate building and land to run a Law College. As

regards deficiency No.4, learned senior counsel submits that the deficiency is rectified.

9. Learned Advocate General appearing for the University would submit that for establishing a Law College, independent separate land and building is required to maintain the quality of education and standards prescribed by the Bar Council of India. It is contended that though the Petitioner was put on notice for want of a separate building in the inspection conducted earlier, the Petitioner-College did not rectify the said mistake and seeking for affiliation with the University is impermissible.

10. Heard Sri Vijay Mathukumilli, learned counsel for the Petitioner and learned Government Pleader for Higher Education.

11. The objections raised in the impugned proceedings against the Petitioner-Law College are as under:

<i>Deficiencies pointed out by the UIC as per University/BCI Guidelines</i>	<i>Recommendations</i>

<ol style="list-style-type: none"> 1. <i>There is no separate demarcated land building for Law College. (as per the BCI Law Guidelines – Land and building should have properly demarcated exclusively for Law College).</i> 2. <i>Multiple Colleges are running in the same building (as per the BCI Law Guidelines - Law College should have exclusively demarcated building and Land).</i> 3. <i>Faculty not appointed as per the norms of University/BCI (vide reference 1st cited - in Staff selection there must be formed Five Men Selection Committee in that one Nominee of the concerned University is must.</i> 4. <i>On verification 02 Aadhaar Number of Two Faculty (1.N.Pavithra –JNTU, Ananthapuramu and 2. Dr. M.Purushothama Reddy – Rukmini Devi Arundale College of Education, (RACE), Madanapalle) are working in other colleges. (as per the BCI Law Guideline – faculty should not work in another College and as per the provision given in the APCFSS Affiliation web portal one can be check with Aadhaar whether working in other College or not.)</i> 	<p><i>Due to non-compliance with BCI norms, affiliation cannot be given for the academic year 2025-26.</i></p>
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13. The controversy in the case revolves around objections pointed out in Sl.Nos.1 and 2 in the above tabulated statement

i.e. requirement of a separate demarcated land and building for Law College and that multiple colleges are running in the same building. The BCI Regulations for Establishment of Law Colleges were framed under the provisions of the Advocates Act, 1961 and were named as *Rules of Legal Education, 2008* (for short 'the Rules'). *Rule 16* thereof specifies conditions for a University to affiliate a Centre of Legal Education and sub-rule 16(ii) is relevant for this case. As per this Rule 16(ii), the institution should have in its name adequate land and buildings either on lease or freehold to provide a Centre of Legal Education building and sufficient floor space area is devoted in entirety for a Centre of Legal Education based on size of students population, faculty requirement and for infrastructure facilities.

14. Rule 16(ii) of the Rules reads as under:

16. Conditions for a University to affiliate a Centre of Legal Education

(ii) the institution has in its name either in freehold or leasehold, adequate land and buildings, to provide for Centre of Legal Education building, library, halls of residences separately for male and female and sports complex both indoor and outdoor, so that it can effectively run professional law courses provided that in case of leasehold the lease is not less than ten years,

Provided that sufficient and adequate floor space area specially and completely devoted for a Centre of Legal Education, based on the size of its student population, faculty requirement, adequate space required for infrastructure facilities can be considered sufficient accommodation for the purpose in a multi-faculty building on land possessed by the Management of a Society/ Trust running multi-faculty institutions.

14. The above Rule does not specifically contemplate a separate building as mentioned in the impugned letter. What all required under the above Rule is that the Law College should have exclusive, sufficient and adequate floor space based on student strength so as to effectively run the professional law courses even in a multi faculty building on land possessed by management running multi faculty institutions.

15. Apart from the above mentioned Rule, Schedule III of the Rules prescribes minimum infrastructure facilities required in a Centre of Legal Education. The Rules 3 and 4 thereof would be relevant for the purpose of this case.

3. Freehold or Leasehold Property: *Each Centre of Legal Education providing education in law either in the Department of law of a University or its constituent or affiliated college must have either on freehold or on long*

*leasehold land adequate to provide academic buildings, library, indoor and outdoor sports facilities, halls of residences for male and female students separately, as the case may be, in the name of the Centre of Legal Education or organization running the Centre of Legal Education. However, lease in the name of the Centre of Legal Education shall be for a period of not less than ten years. **What is the adequate space for the said purpose shall be decided by the respective authority of the University under its affiliation regulation and as guided by the UGC.***

Provided that sufficient land and adequate floor space area completely and exclusively devoted for a Centre of Legal Education, based on the size of its student population, faculty requirement infrastructure facilities, Library space requirement, indoor and outdoor games facilities and other requirements can be considered sufficient accommodation in compliance with this clause, for the purpose in a multi-faculty Institution on land possessed by the Management of a Society/ Trust/ Non Profit Company running multi-faculty institutions in a metropolitan or in a class 1 city.

16. The proviso to Rule 3 of Schedule III is a reiteration of Rule 16(ii) of the main Rules and both the Rules in tandem speak of adequacy of floor space area devoted for a Centre of Legal Education in a multi-faculty institution on land possessed by the Management of a Society. The Rules only speak of adequacy,

but not exclusivity as is urged by the University. The words “exclusive or separate building” is consciously not referred to in the Rules and this Court is not inclined to read exclusivity into the Rules as that would amount to legislation.

17. The discretion to determine adequacy is given to the University as highlighted above and it is quite apparent that a Law College in the premises of a multi faculty institution is permissible. As the objections Nos.3 and 4 in the impugned order are trivial in nature, the University can re-examine the same in the light of the explanation given by the Petitioner.

18. Therefore, the impugned order is set aside and the writ petition is allowed. The 3rd Respondent-University is directed to re-consider affiliation to the Petitioner-College forthwith taking note of the adequacy of space as observed above. No order as to costs.

As a sequel, pending applications, if any, shall stand closed.

NYAPATHY VIJAY, J

Date:13.02.2026
KLP