APHC010392202026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3458]**
(Special Original Jurisdiction)

WEDNESDAY, THE 29th DAY OF JULY 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 21002/2026

Between:

1. LUTHERAN AIDED HIGH SCHOOL, REPRESENTED BY ITS CORRESPONDENT SRI MADASU ISAIAH JAMPETA, RAJAMAHENDRAVARAM, EAST GODAVARI DISTRICT, ANDHRA PRADESH.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY TO GOVERNMENT SCHOOL EDUCATION DEPARTMENT, TULLURU, SECRETARIAT BUILDINGS VELAGAPUDI, GUNTUR DISTRICT.522238
2. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY TO GOVERNMENT FINANCE DEPARTMENT, TULLURU, SECRETARIAT BUILDINGS VELAGAPUDI, GUNTUR DISTRICT.522238
3. THE COMMISSIONER OF SCHOOL EDUCATION, VENKATADRI TOWERS, OPP. DGP OFFICE BESIDES HAPPY RESORTS, ATMAKUR, MANGALAGIRI, GUNTUR DISTRICT, ANDHRA PRADESH.522503
4. THE REGIONAL JOINT DIRECTOR OF SCHOOL EDUCATION, O/O DISTRICT EDUCATIONAL OFFICE, BESIDE DISTRICT LIBRARY, MAIN ROAD, KAKINADA, EAST GODAVARI DISTRICT, ANDHRA PRADESH - 533001.
5. THE DISTRICT EDUCATIONAL OFFICER, NEAR KOTTAGUMAM RAJAHMUNDRY, EAST GODAVARI DISTRICT ANDHRA

PRADESH.533001

...RESPONDENT(S):

Counsel for the Petitioner:

1. SRI VIJAY MATHUKUMILLI

Counsel for the Respondent(S):

1. GP FOR SCHOOL EDUCATION
2. GP FOR FINANCE PLANNING

The Court made the following Order:

Heard Sri Sri Vijay Mathukumilli, learned counsel for the petitioner and learned Assistant Government Pleader for Education appearing for the respondents.

2. The instant Writ Petition is filed seeking a direction to the respondents to release the maintenance grant to the petitioner's schools for the academic year 2025-2026.

3. Today, when the matter has been taken up for consideration, learned counsel for the petitioner submitted that the issue involved in the present Writ Petition is squarely covered by the earlier Judgment rendered by this Court in W.P.No.3449 of 2003 dated 30.09.2016 wherein it was held that:

> *"21. In any view of the matter, the contention of the learned Government Pleader is that the petitioner is not entitled to maintenance grant in view of G.O.Ms.No.320, which was struck down by this Court in the Judgment referred supra. Even otherwise, the discriminatory attitude of the Government giving concession to one educational institution and denying benefit to the petitioner's educational institution cannot be encouraged by*

the Courts, since it is arbitrary and discriminatory in not releasing grant-in-aid to the petitioner's association whose object is to provide free education. In those circumstances, this Court has no option except to hold that the inaction of the respondents is arbitrary in not releasing the maintenance grant-in-aid to the petitioner's educational institution and consequently, I hold that the petitioner is entitled to all the benefits as decided in ***Recognised Schools Managements Associations*** *case. Hence, the respondents are directed to work out maintenance grant @ 6% and arrange to pay the same within a period of three months from the date of receipt of copy of this order to the petitioner's educational institution, on par with other Schools.*

22. With the above direction, the Writ Petition is allowed."

4. Following the same, this Writ Petition is allowed, in terms of the observations and directions of this Court in the said case. There shall be no order as to costs.

5. Registry is directed to append a copy of the order passed by this Court in W.P.No.3449 of 2003 dated 30.09.2016 to this order.

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

JUSTICE KIRANMAYEE MANDAVA

Date: 29.07.2026
BSK

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THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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BSK