

HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No. 17296 of 2014

ORDER :

This writ petition, filed under Article 226 of the Constitution of India, is filed seeking the following relief:

“..... to direct the Respondents to permit the Petitioner to run the primary school by setting aside the proceedings Rc.No.3503/B2/2011, dated 20.02.2014 issued by the 3rd Respondent rejecting the appeal of the Petitioner and the proceedings issued in Rc.No.11228/C1/2011, dated 28.12.2011 issued by the 4th respondent withdrawing the recognition of the Petitioner's primary school and declare the action of the Respondents as being arbitrary, illegal and unconstitutional

2. Heard Sri P.Srinivasa Rao, learned counsel for the petitioner and learned Government Pleader for respondents.

3. By way of an order vide proceedings No.11228/C1/2011, dated 28.12.2011, the District Educational Officer, Kurnool-4th respondent herein had withdrawn the recognition of Sivaramakrishna Vidyalayam U.P. School, Gajulapallimetta Village, Mahanandi Mandal, Kurnool District. The Regional Joint Director of School Education, Kadapa-3rd respondent herein by virtue of the proceedings Rc.No.3503/B2/2011, dated 20.02.2014,

rejected the appeal filed by the petitioner herein. Assailing the said orders passed by the 3rd respondent, confirming the orders passed by the 4th respondent, this writ petition came to be filed.

4. When the matter is taken up for hearing, it is brought to the notice of this Court by the learned counsel for the petitioner that the petitioner herein, pending writ petition, filed appeal, dated 18.05.2015, before the Commissioner and Director of School Education-2nd respondent herein, assailing the orders passed by respondent Nos.3 and 4 herein and the learned counsel for the petitioner made a request to issue necessary directions to the 2nd respondent herein to pass appropriate orders on the appeal by fixing some time.

5. This Court considers the said request of the learned counsel for the petitioner as reasonable.

6. For the aforesaid reasons, the writ petition is disposed of directing the Commissioner and Director of School Education, A.P., Hyderabad-2nd respondent to consider the appeal, dated 18.05.2015 preferred by the petitioner herein against the proceedings of the District Educational Officer, Kurnool District, dated 20.12.2011 as confirmed by the Regional Joint Director of School Education, YSR Kadapa District-3rd respondent in the orders dated 20.02.2014 and pass appropriate orders, within six weeks from the date of receipt of a copy of this

order, in accordance with law.

7. As a sequel, Miscellaneous Petitions, if any,
pending in this writ petition shall stand closed.

A.V. SESA SAI, J

18th June 2015
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