

THE HON'BLE SRI JUSTICE A.V. SESA SAI

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WRIT PETITION No.19484 OF 2012

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ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents 1 to 6 from taking steps to stop the establishment and running of a new schools by name Narayana E.Techno School, Sri Chaitayna Techno School, Ravindra Bharathi School just beside Sai Vidya Niketan High School in Sullurpet, S.P.S.R. Nellore District without there being any notification issued by the competent authority under section 20 of the Act and without obtaining the permission for the establishment of New Schools under the provisions of A.P.Education Act, 1982 and the Rules made thereunder as arbitrary, illegal, without jurisdiction and consequently direct the respondents 1 to 6 not to allow the respondents 7 to 9 to run the said unauthorized schools adjacent to Sai Vidya Niketan High School, Sullurpet, S.P.S.R. Nellore District without obtaining permission and recognition under A.P. Education Act, 1982 and the rules made thereunder, and pass such other order or orders in the interest of justice.”

2. Heard Sri Ch.Krishna Reddy, learned counsel appearing for the petitioner, learned counsel appearing for the respondents.

3. When the matter is called today, it is represented by the learned counsel for the petitioner herein that in respect of the respondents 7 and 8, the authorities already granted permission. The District Educational Officer, Sri Potti Sriramulu Nellore District, filed additional counter on 27.08.2015. Paragraph No.5 of the said additional counter reads as under:

“I submit that while the matter stood thus, I received instructions on 12.08.2015 from the 4th respondents, instructing me to conduct inspection along with the 6th respondent to find out whether the 9th respondent school is being run illegally. I submit that myself along with

the 6th respondent has inspected the school on 13.09.2015 and found that the school is being run unauthorizedly and immediately we had shut down the 9th respondent school and kept it lock and key and accordingly submitted a report to the 4th respondent (DEO) on the same day. Myself and the 6th respondent were present before this Hon'ble Court on 14.08.2015 and this Hon'ble Court directed me to file an affidavit explaining what action would be taken by me against the 6th respondent for not observing the 9th respondent school is being run unauthorizedly in the same town, sullurpet."

4. While referring the contents of the above paragraph, it is submitted by the learned counsel for the petitioner herein that in view of the averments made in Paragraph No.5 of the affidavit no further adjudication is required in the present writ petition and writ petition can be closed.

5. In view of the averments made in Paragraph No.5 of the additional counter affidavit referred supra, writ petition stands closed. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

04th November, 2015

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