

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

WRIT PETITION No.18890 of 2015

ORDER:

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

“To issue an Order or Writ more particularly one in the nature of WRIT OF MANDAMUS declaring the inaction of the 2nd respondent in not granting permission to the petitioner for opening classes I to VII (English Medium) in spite of the receiving favourable report from the 3rd respondent as, illegal, arbitrary, high-handed and colourable exercise of power and also violative of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the 2nd respondent to grant permission to the petitioner to commence admissions and teaching for classes I to VII for the present academic year i.e 2015-2016 immediately.”

2. Heard Sri Ponnamp Ashok Goud, learned counsel for the petitioner and the learned Government Pleader for Education for the respondents.

3. According to the pleadings in the affidavit filed in support of the writ petition, the petitioner herein submitted an application dated 30.01.2015 to the second respondent herein for grant of permission to start classes from I to VII (English Medium) and the petitioner paid Rs.40,000/- in favour of the second respondent vide Challan No.128071 in accordance with G.O.Ms.No.1, Education (P.S.2), dated 01.01.1994. It is further stated that the second respondent/District Educational Officer, Ranga Reddy District instructed the third respondent/Mandal Educational Officer, Ghatkesar Mandal, Ranga Reddy District, to visit the premises of the petitioner to submit proposals with specific remarks along with the report, and in compliance of the same, the third respondent visited the premises of the petitioner and after verifying the proposal and the relevant documents, he submitted his report vide Lr.Rc.No.003/PVT/MEO/GTR/2015 dated 10.06.2015, recommending for according permission to open the school with classes I to VII for the academic year 2015-2016 for the petitioner.

4. The grievance precisely in the present writ petition is that the second respondent/District Educational Officer, Ranga Reddy District, despite receiving the said report from the third respondent, has not taken any further action in the matter.

5. Taking into consideration, the nature of the controversy, this Court is of the opinion that ends of justice would be met if a direction is given to the second respondent/District Educational Officer, Ranga Reddy District herein to take appropriate action on the application of the petitioner dated 30.01.2015 filed pursuant to the recommendations of the third respondent/Mandal Educational Officer, Ghatkesar Mandal, Ranga Reddy District dated 10.06.2015 by fixing some time frame.

6. For the aforesaid reasons, the writ petition is disposed of, directing the District Educational Officer, Ranga Reddy District/second respondent herein, to take appropriate action on the application of the petitioner herein for grant of permission for opening the school with classes I to VII (English Medium) pursuant to the letter Rc.No.003/PVT/MEO/GTR/2015 dated 10.06.2015, addressed by the third respondent/Mandal Educational Officer, Ghatkesar Mandal, Ranga Reddy District, within three weeks from the date of receipt of a copy of this order and communicate the order to the petitioner herein. 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

Date:21.07.2015

grk

WRIT PETITION No.18890 of 2015

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Dated 21st July, 2015

grk

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD FOR
THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
WRIT PETITION No.18890 of 2015**

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Between:

St.Peters School,
Represented by its Correspondent
Mr.G.Madhupaul Reddy, P.No.7 & 8,
Narayana Reddy Colony,
Chengicherla, Ghatkesar (M),
Ranga Reddy District, State of Telangana.

... Petitioner

and

The State of Telangana
Represented by its Principal Secretary,
School Education, Telangana Secretariat,
Hyderabad and two others.

... Respondents

DATE OF JUDGMENT PRONOUNCED: 21st July, 2015

SUBMITTED FOR APPROVAL: 21st July, 2015

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THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

1. Whether Reporters of Local Newspapers
May be allowed to see the Judgment? Yes/No
2. Whether the copies of judgment may be
Marked to Law Reporters/Journals? Yes/No
3. Whether Their Lordship wish to see the
Fair copy of the judgment? Yes/No