

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 14854 of 2016

ORDER:

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Heard learned counsel for the petitioner and Government Pleader for School Education. With the consent of both the parties, the present writ petition is taken up for disposal at the admission stage itself.

The present writ petition is filed with the following prayer:

“Issue a writ of mandamus declaring the action of the respondents in not granting shifting permission and extension of school recognition with effect from 2016-2017 to 2025-2026 on expiry of present Scholl recognition as accorded by respondent No.2 vide proceedings in L.Dis.No.535/A3/07, dated 04.03.2007 granting recognition for ten years from 2006-2007 to 2015-2016 without considering the representations dated 15.04.2010, 11.09.2014, 14.08.2015, 22.12.2015, 06.01.2016, 09.04.2016 and 14.04.2016, in the absence of any legally tenable reasons whatsoever, as illegal arbitrary and violative of principles of natural justice; and consequently direct the respondent to grant school shifting permission and extend school recognition for further ten years with effect from 2016-2017 to 2025-2026 without any further delay.”

The averments in the affidavit filed in support of the writ petition would show that the recognition of the petitioner's school was granted by the second respondent vide proceedings in L.Dis.No.535/A3/07, dated 04.03.2007 and the school has been functioning from 2006-2007 to 2015-2016. Later, the petitioner made an application dated 15.04.2010 to the second respondent seeking permission for shifting of the school from a rental premises to his own premises. Respondent Nos.3 and 4 have

submitted favourable reports to second respondent regarding shifting of the school. Thereafter, disputes arose with the neighbours which lead to filing of O.S.No.238 of 2010 by one K.Krishna Reddy before the Additional Junior Civil Judge, Malkajgiri, seeking injunction against the school. In view of the pendency of the suit, shifting permission was not granted, but the school has been functioning since then. Ultimately the said suit was withdrawn. After withdrawal of the suit, one neighbour filed W.P.No.39317 of 2014 seeking identical relief. Thereafter, the school made a representation dated 14.08.2015 to the respondent authorities seeking shifting permission and also extension of recognition for ten more years ie., from 2016-2017 to 2025-2026. Till date no orders are being passed by the second respondent. Questioning the same, the present writ petition is filed.

Though various grounds are raised in the writ petition, learned counsel for the petitioner restricts his prayer seeking a direction to the respondent authorities to consider the representations dated 09.04.2016 and 14.04.2016 made by the petitioner, in accordance with law.

Without going into the merits of the case and having regard to the facts and circumstances of the case, the writ petition is disposed of, directing the respondent authorities to dispose of the representations dated 09.04.2016 and 14.04.2016 made by the petitioner, in accordance with law, as expeditiously as possible, preferably, within a period of six (06) weeks from the date of receipt of a copy the order. Till such time, the respondents shall not interfere with the functioning of the petitioner school. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

**JUSTICE C. PRAVEEN
KUMAR**

14.06.2016

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