

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.11063 of 2016

ORDER:

The petitioner is the Telangana Recognized Schools Management Society situated at Nagole in Ranga Reddy District. Its prayer in this writ petition is as under:

“That this Hon’ble Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or orders, Direction or Directions to declare the action of the 2nd respondent in issuing instructions against the recognized un-aided private schools to follow the text books published by the State Government alone at the primary and upper primary level through Proceedings dated 13.05.2015, as illegal, arbitrary and unreasonable and to issue consequential direction to the respondents not to insist upon the members of the petitioner being recognized unaided private schools to follow the text books published by the State Government at the primary and upper primary level and pass such other order or orders may deem fit and proper in the circumstances of the case.”

Sri Vedula Srinivas, learned counsel for the petitioner – Society, fairly conceded before the Court that it would not be within the domain of this Court to decide as to whether the text books published by the Government now being insisted upon at primary and upper primary level are up to the mark or below bar when compared with text books published by private agencies. Further, the impugned letter issued by the Director of School Education, State of Telangana is dated 13.05.2015, and the petitioner – Society has not even filed any objections to the proposals contained thereunder. As the authorities concerned would first have to apply their mind to the objections, if any, that the petitioner – Society may have, this Court finds no reason to entertain this writ petition for adjudication on merits at this stage.

The writ petition is accordingly disposed of permitting the petitioner – Society to make a detailed representation setting out its grievances with regard to the proposals contained in the impugned proceedings dated 13.05.2015 of the Director of School Education, Telangana State, within two weeks from today. Upon receipt of such objections, the Secretary, Department of School Education, State of Telangana, Hyderabad, the

1st respondent, and the Director of School Education, State of Telangana, Hyderabad, the 2nd respondent, shall consider the same, duly giving an opportunity of hearing to the authorized representatives of the petitioner – Society, and take appropriate action thereon, if warranted. This exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of the petitioner – Society's representation.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:04.04.2016

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Note:

Furnish C.C. in three days.

(B/o)

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