

**THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**WRIT PETITION No.8643 of 2010**

**ORDER:**

This Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking to declare proceedings bearing No.02/MAR/2010-INC dated 31.03.2010 issued by the respondent as illegal and arbitrary and consequently to direct the respondent to consider the case of the petitioner afresh for renewal/recognition keeping in view the infrastructure and other facilities provided by the petitioner school for GNM programme.

The facts leading to filing of the present writ petition are as follows:

Petitioner is a Nursing School and is in existence since the year 2000. The State Government has granted permission vide GO Ms.No.44 dated 25.01.2000. The Andhra Pradesh Nurses, Midwives, Auzilliary Nurses, Midwife and Health Visitors Council also granted permission under Rule 38 of A.P. Nurses and Midwives Extension and Amendment Act 1964 on 02.02.2000 and the Council also recognized the petitioner school as a Training Institution for General Nursing and Midwifery w.e.f. 05.05.2001. In February, 2010, a team of officials visited all the Nursing Schools in Hyderabad including the petitioner-School. The Inspection team submitted its report stating that the petitioner-school is well equipped. Inspite of the same, the State Government issued GO Ms.No.422 dated 06.12.2008 canceling the permission granted to the petitioner-school, raising certain objections. Questioning the same, petitioner filed W.P.No.27363 of 2008 before this Court. During pendency of the said writ petition, a Division Bench of this Court vide order dated

23.03.2009 in WAMP No.523 of 2008 in WA No.254 of 2009 suspended the said G.O. which is still in force. Thereafter, the respondent communicated the impugned order dated 31.10.2010 to the petitioner-school informing that the petitioner is not-permitted/unsuitable for GNM Programme. Assailing the same, present writ petition came to be filed.

Heard learned counsel for the petitioner and perused the material on record.

According to the learned counsel for the petitioner, the impugned proceeding is bereft of any details. It does not indicate as to how the petitioner-school is unfit or unsuitable for GNM Programme. According to him, though the petitioner-school is recognized and being run since the last ten years, the impugned proceedings came to be issued only by filling blanks in the printed proforma, without giving any notice and details as to how the petitioner-school is unsuitable for the programme.

No counter is filed. None appeared for respondent.

However, since this Court is not going into the merits of the case, there is no point in keeping the writ petition pending.

Having regard to the facts in issue, the Writ Petition is disposed of directing the petitioner-School to make a fresh application to the respondent, within a period of four weeks from the date of receipt of a copy of this order, seeking redressal of its grievance, in which event the same shall be dealt with and necessary orders be passed thereon, in accordance with law, as early as possible, preferably within a period of four to six weeks from the date of filing of such application.

Miscellaneous petitions pending in this petition, if any, shall stand closed. No costs.

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**JUSTICE C. PRAVEEN KUMAR**

22.08.2017  
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