

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

FRIDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 4264 OF 2014

Between:

1. Rabindranath Tagore Educational Society, Flat No.301, Willmount Apartment, West Maredpally, Secunderabad Rep by its Secretary, Khadar Khan
2. Rabindaranath Tagore College of Education, Kummera Village, ChevellaMandal, Ranga Reddy District Rep by its Correspondent Khadar Khan
3. Khadar Khan, S/o: Maqdoom Khan Raja, Aged about 43 years, R/o Flat No.301, Willmount Apts, West Maredpally, Secunderabad.

...PETITIONERS

AND

1. The Govt. of Andhra Pradesh, Rep. by its Principal Secretary School Education Department, Secretariat Buildings, Hyderabad
2. The Commissioner and Director of School Education, Saifabad, Hyderabad
3. The Director of Examinations, Chapel Road, Nampally, Hyderabad

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ order or direction more particularly one in the nature of "Writ of Mandamus" declaring the action of the 2nd respondent in not approving the admission of the students of the 2nd petitioner institution by issuing proceedings in RC.No.9/N1-3/DIET/2011 Dated 26-10-2013 as being illegal, arbitrary, unconstitutional and contrary to the provisions of A.P. Educational Institutions (Regulation of Admissions and Prohibition of Capitation Fee) Act, 1983 and set aside the said Proceedings issued in RC.No.9/N1-3/DIET/2011 Dated 26-10-2013 and consequently direct the respondents to forthwith approve the admission of all the students of the 2nd petitioner institution and permit them to

complete their D.Ed course without any hindrance and drop all proceedings as a consequence of such proceedings.

I.A. NO: 1 OF 2014(WPMP. NO: 5260 OF 2014)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to permit the students of the 2nd petitioner institution to appear for the examinations of 1st year D.Ed Course and all examinations thereafter, by suspending the proceedings Dated 26.10.2013, pending disposal of the above writ petition.

I.A. NO: 2 OF 2014(WPMP. NO: 19258 OF 2014)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to declare the results of the 1st year D.Ed course and further permit the students to pursue the remaining course pending disposal of the above writ petition.

Counsel for the Petitioners: SRI P PANDU RANGA REDDY

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court made the following: ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.4264 of 2014

ORDER:

Heard learned counsel for the petitioners and also heard learned Government Pleader for School Education, appearing on behalf of respondents.

PERUSED THE RECORD.

2. The petitioners approached this Court seeking the relief as under:

"to issue an appropriate writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in not approving the admission of the students of the 2nd petitioner institution by issuing proceedings in RC.No. 9/N1-3/DIET/2011 Dated 26.10.2013 as being illegal, arbitrary, unconstitutional and contrary to the provisions of A.P. Educational Institutions (Regulation of Admissions and Prohibition of Capitation Fee) Act, 1983 and set aside the said Proceedings issued in RC.No. 9/N1-3/DIET/2011 Dated 26.10.2013 and consequently direct the respondents to forthwith approve the admission of all the students of the 2nd petitioner institution and permit them to complete their D.Ed course without any hindrance and drop all proceedings

as a consequence of such proceedings and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

3. It is represented by both the learned counsel for the petitioners as well as learned Government Pleader for School Education, appearing for the respondents that, the cause of action in the present writ petition does not survive for adjudication.

4. Bringing the said submission of both the counsel on record, the present writ petition is dismissed as infructuous. However, there shall be no order as to costs.

5. Interim orders granted by this Court on 14.02.2014, shall also stands vacated.

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

SD/- P.Ch. NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

- To,
1. One CC to Sri P. Pandu Ranga Reddy, Advocate [OPUC]
 2. Two CCs to GP for School Education, High Court for the State of Telangana, at Hyderabad [OUT]
 3. Two CD Copies

TJ
GJP

[Handwritten signature]

HIGH COURT

DATED:29/12/2023

ORDER

WP.No.4264 of 2014



**DISMISSING THE WRIT PETITION
AS INFRUCTUOUS
WITHOUT COSTS.**

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