IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

MONDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT
HON'BLE SRI JUSTICE DHIRAJ SINGH THAKUR, THE CHIEF JUSTICE
AND
HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT APPEAL NO: 1044 OF 2024

Writ Appeal under Clause 15 of the Letters Patent preferred against the order dated 22-08-2024 passed in W.P.No.40760 of 2017, on the file of the High Court.

Between:

1. The State of Andhra Pradesh, Rep by its Prl. Secretary Department of School Education Secretariat Buildings, Velagapudi, Amaravathi, A.P.
2. The Commissioner of School Education, Government of A.P. Ibrahimpatnam, Vijayawada, A.P.
3. The District Educational Officer, Prakasam District, Ongole, A.P.
4. The Mandal Educational Officer, Komarole, Prakasam District, A.P.

...Appellants/Respondents in WP.No.40760/2014

AND

1. Sri Lakshmi Venkateswara Education Society, Rep by its Secretary, B.Narayana Reddy, Gopanipalle, Komarole Mandal, Prakasam District, A.P.
2. SBNRM Aided High School, Rep by its Correspondent, B Narayana Reddy, Kothapalle, Komarole Mandal Prakasam District, A.P.
3. SBNRM Aided High School, Rep by its Correspondent, B Narayana Reddy, Gopanipalle, Komarole Mandal, Prakasam District, A.P.

...Respondents/Writ Petitioners in WP.No.40760/2014

IA NO: 1 OF 2024

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 suspend the orders passed by the Learned Single Judge in

WP.No.40760/2017, dt: 22-08-2024, pending disposal of the above writ appeal.

Counsel for the Appellants: GP FOR SCHOOL EDUCATION

Counsel for the Respondents: SRI C SUNIL KUMAR REDDY

The Court made the following judgment:

APHC010460382024

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Bench Sr.No:-36
[3483]

WRIT APPEAL NO: 1044 of 2024

The State of Andhra Pradesh and others ...Appellants

Vs.

Sri Lakshmi Venkateswara Education Society and others ...Respondents

****

Advocate for Appellants : GP for School Education

Advocate for Respondents : Mr. C Sunil Kumar Reddy

CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE RAVI CHEEMALAPATI

DATE : 27th January, 2025

P C :

The present writ appeal has been preferred by the appellants - State against the judgment and order, dated 22.08.2024 passed in WP.No.40760 of 2017 whereby the writ petition filed by the petitioners (respondents herein) had been allowed.

2. The case of the appellants in the present appeal is that the judgment and order impugned to the extent it orders the extension of the mid-day meal scheme to the students of classes VIII to X runs contrary to the policy document, which envisages the mid-day meal scheme to extend to students only up to class VII.

3. Learned counsel for the respondents, however, has drawn our attention to G.O.Rt.No.209, dated 24.03.2008, which clearly specifies that the mid-day meal scheme also has been extended to students of classes IX & X in all the High Schools of 737 educationally backward Mandals.

It is stated by learned counsel for the respondents that the schools in question are situate in a educationally backward Mandal and, therefore, are covered under G.O.Rt.No.209.

4. Learned counsel for the appellants has not been able to satisfy us as to how despite G.O.Rt.No.209, the scheme of the mid-day meal scheme could be denied to the petitioners – respondents herein.

5. Having heard learned counsel for the parties, we are of the opinion that notwithstanding the fact that the attention of the learned single Judge was not drawn to the G.O.Rt.No.209, yet the petitioners, on the face of it, are entitled to the benefit of the same inasmuch as they are situate in a educationally backward Mandal, as has been stated by learned counsel for the petitioners (respondents herein).

6. For the reasons mentioned above, we do not find any merit in the present Writ Appeal, which is accordingly dismissed. No order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- K. TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri C Sunil Kumar Reddy, Advocate [OPUC]
2. Two CCs to GP for School Education, High Court of Andhra Pradesh. [OUT]
3. Two CD Copies

RAM

HIGH COURT

DATED:27/01/2025



ORDER

WA.No.1044 of 2024

DISMISSING THE WRIT APPEAL
WITHOUT COSTS