APHC010449912026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3457]
(Special Original Jurisdiction)

THURSDAY, THE 19th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 24415/2026

Between:

1. SRI GADDAM ELISHA, OCC CORRESPONDENT, ANDHRA CHRISTIAN COLLEGE OF LAW S/O. RAJARAO, AGED ABOUT 65 YEARS, GUNTUR, ANDHRA PRADESH.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, HIGHER EDUCATION DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, ANDHRA PRADESH.522238
2. THE COMMISSIONER OF HIGHER EDUCATION, GOVERNMENT OF ANDHRA PRADESH, O/O COMMISSIONERATE OF HIGHER EDUCATION, GROUND AND SECOND FLOORS, GARUDADRI K.K. TOWERS, SRI LAKSHMI NARASIMHA COLONY, MANGALAGIRI 522503, GUNTUR DISTRICT.
3. ACHARYA NAGARJUNA UNIVERSITY, REPRESENTED BY ITS REGISTRAR. NAGARJUNA NAGAR, GUNTUR DISTRICT.522001
4. THE ANDHRA EVANGELICAL LUTHERAN CHURCH AELC, REPRESENTED BY ITS CONTROLLER, BECKER COMPOUND, BRODIPET, GUNTUR, ANDHRA PRADESH.522001
5. SRI JOSEPH P S, ADMINISTRATOR, ANDHRA EVANGELICAL LUTHERAN CHURCH (AELC), BECKER COMPOUND, BRODIPET, GUNTUR, ANDHRA PRADESH.522001

...RESPONDENT(S):

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 toissue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring Proceedings No.61/Edn/26 dated 24-08-2026 issued by the 5th Respondent discontinuing the Petitioner from the office of Correspondent of Andhra Christian College of Law, Guntur, directing cessation of his functions and handing over of the institutional records, files, documents, registers, correspondence and assets and purporting to supersede LCM No.510 dated 27-05-2022 and LCM No.522 dated 16-07-2024, as illegal, arbitrary, without jurisdiction, ultra vires the authority conferred upon the 5th Respondent, contrary to Sections 24 and 25 of the A.P. Education Act, 1982, contrary to the orders of this Honourable Court including the order dated 05-02-2026 in W.P.No.34379 of 2025 and the final order dated 13-07-2026 passed therein, violative of principles of natural justice and Articles 14 and 21 of the Constitution of India, and consequently set aside the said proceedings, and pass such other order or orders as this Honourable Court may deem fit and proper in the circumstances of the case.

IA NO: 1 OF 2026

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 suspend the operation of Proceedings No.61/Edn/26 dated 24-08-2026 issued by the 5th Respondent, pending disposal of the Writ Petition,

IA NO: 2 OF 2026

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 May be pleased to vacate the interim order dated 25.08.2026 passed in I.A.No.1 of 2026 in W.P.No.24415 of 2026 and to pass

Counsel for the Petitioner:

1. SRI VIJAY MATHUKUMILLI

Counsel for the Respondent(S):

1. M SRIKANTH
2. GP FOR HIGHER EDUCATION

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 24415/2026

ORDER:

The petitioner is aggrieved by the proceedings dated 24.08.2026 issued by respondent No.5, discontinuing the petitioner from the post of Correspondent of Andhra Christian College of Law, Guntur. It is submitted that the impugned proceedings supersede LCM No.510 dated 27-05-2022 and LCM No.522 dated 16-07-2024.

2. The specific grievance of the petitioner is that respondent No.5 has failed to take into consideration the earlier proceedings dated 27.05.2022 and 16.07.2024, which would entitle him to continue as Correspondent of the College until further orders of the management. It is further submitted that the impugned proceedings were issued without issuing any show-cause notice or calling for an explanation from the petitioner. No reasons have been furnished as to why the petitioner is sought to be removed from the post of Correspondent or why a new Correspondent is required to be appointed.

3. Learned Senior Counsel submits that an identical issue arose in W.P.No.23539 of 2025, wherein the unilateral removal of a Correspondent of a school was challenged. This Court, by order dated 15.10.2025, granted an interim suspension of the impugned proceedings therein. Aggrieved by the said order, the respondents therein preferred Writ Appeal No.1232 of 2025. The learned Division Bench, by order dated 05.01.2026, set aside the

impugned order in the Writ Petition and relegated the matter to the competent authority with a direction to afford an opportunity of hearing to the petitioner therein before passing appropriate orders. The writ petition was also disposed of accordingly.

4. Learned Senior Counsel submits that the facts of the present case are identical and, therefore, similar directions may be issued in the present writ petition.

5. Learned counsel appearing for respondent Nos. 4 and 5 submits that the question of maintainability of the writ petition was not considered in the earlier round of litigation. It is further submitted that the judgment of this Court in *G.J.R. Sunand v. Convention of Baptist Churches of Northern Circars and Others*[1], was not brought to the notice of this Court in the earlier round of litigation.

6. It is further contended that the appointment of a Correspondent is not a statutory appointment of under Section 24 of the Andhra Pradesh Education Act, 1982 and, therefore, the said provision has no application to the present case. It is also submitted that the management has the authority to appoint or remove the staff and that an action cannot be challenged in a writ jurisdiction of this Court. The appointment of a Manager or Correspondent by a private management, according to the learned counsel, cannot be equated with the discharge of public duties for maintaining the Writ Petition.

[1] 2003(2) ALT 261

7. Considering the submissions of the learned Senior Counsel for the petitioner and the learned counsel for the respondents, the issues of maintainability of the Writ is left open, however considering the orders passed in W.P.No.23539 of 2025 and W.A.No.1232 of 2025.

8. The matter is remitted back to respondent Nos.4 and 5, and they are directed to issue a fresh notice to the petitioner, calling upon him to submit his explanation, afford him an opportunity of hearing and thereafter pass appropriate orders in accordance with law.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, all the pending miscellaneous petitions, if any, shall stand closed.

JUSTICE HARINATH.N

19.11.2026
KKV/SZT

13

HON'BLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 24415/2026

Dt: 19.11.2026

KKV/SZT